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THE
TRIAL OF SOCRATES

(WITH CHAPTERS
ON
HIS LIFE, TEACHING, AND PERSONALITY)

BY
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TO

THE RIGHT HON. LORD HEWART

LORD CHIEF JUSTICE OF ENGLAND.

Ὁ δὲ ἀνεξέτασστος βίος οὐ βιωτὸς ἀνθρώπῳ.

Apol. 38a.

(An unexamined life is not worth living.)

Οὐκ ἔστιν ἀνδρὶ ἀγαθῷ κακὸν οὐδὲν οὔτε ζῶντι οὔτε τελευτήσαντι.

Apol. 41d.

(No evil can come to a good man either in life or after death.)

PREFACE

I BELIEVE that this work is the first attempt in any language to present a systematic and—so far as the evidence permits—an adequate account of the trial of Socrates. In order to understand the nature of the accusation and the defence of Socrates and the verdict pronounced, it is indispensable to consider, not only the main events of his career, his fundamental ideas and doctrines, his method of investigating the great and perennial problems of human thought and life, and his unique personality and character, but also the causes of the hostility that was aroused against him, the particular circumstances in which he was indicted, the law relating to impiety, the constitution of the court of 500 judges that tried him, the kind of procedure adopted, the cases for the prosecution and the defence, and the justifiability of the condemnation.

On some of these questions we find a good deal of information in the ancient sources (as I have indicated); on others a certain amount of either inferential or conjectural reconstruction is unavoidable. Accordingly my treatment of the subject is not merely analytical and expository, but also critical and constructive. It is with all due deference and respect that I have ventured to controvert various conclusions advanced by distinguished Platonic scholars.

I have endeavoured to make the work a unified organic whole in such a way that every chapter is necessary for all the others for the purpose of reinforcing and supplementing them; but my main aim has been, not to go fully into the Socratic philosophy and show its relation to the work of forerunners and to that of successors, but, above all, to exhibit the legal and moral aspects of the trial and to depict Socrates the man—the exalted soul, the noblest man of antiquity—as he journeyed through life without swerving from his appointed task, despite the derision and hatred of his fellow-citizens, and eventually entered the portals of death with undisturbed equanimity.

I may perhaps be permitted to add that this work was written just after I lost one in whom my hopes had been centred, and who, notwithstanding her youth, often manifested a great interest in

my dry writings. But the vision of the delightful and inspiring personality of Socrates and the consciousness of the way in which he confronted life's difficulties and perplexities have throughout been a support and a solace to me. To know Socrates is to revere and love him and bless his memory.

COLEMAN PHILLIPSON.

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Temple.

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* For a book of this kind a detailed table of contents is perhaps more useful than an index.

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ERRATA.

P. 44, Notes, line 2: *For* σωφροσύνη *read* σωφροσύνη.

P. 113, Notes, last line, fourth word: *For* εἶναι *read* εἶναι.

P. 123, last Note: *For* δ᾽οἶδεν *read* δ᾽οἶδεν; *for* ξῆν *read* ζῆν (twice).

P. 128, line 10 from bottom: *For* external *read* eternal.

P. 223, Note (*z*): *For* Αἰδχύλος *read* Αἰσχύλος.

P. 232, Note (*z*), end of first line: *For* o *read* on.

P. 236, Note (*b*): *For* τριώβολου *read* τριώβολον.

P. 256, Note (*y*), last line: *For* ἐσοιν *read* ἐῶσιν.

THE TRIAL OF SOCRATES

CHAPTER I

AGE IN WHICH SOCRATES LIVED

τὸ πρυτανεῖον τῆς σοφίας.
(*Protag.* 337 d.)
(The metropolis of wisdom.)
. . . πόλεως τῆς μεγίστης καὶ εὐδοκιμωτάτης εἰς σοφίαν καὶ ἰσχύν.
(*Apol.* 29 d.)

(. . . The greatest of cities and the most famous for wisdom and power. . . .)

In order to understand adequately the great issues involved in, and the profound significance of, the trial of Socrates, it is necessary for us to bear in mind the nature of the age in which that immortal philosopher lived, the main events of his life, his personal characteristics, doctrines, and method of investigation, as well as—what is a corollary of such considerations—the causes of the general hostility aroused against him and the immediate cause of his indictment. It is also essential to consider certain striking peculiarities of the Athenian penal code and administration, the kind of court that tried Socrates, the procedure adopted, the respective cases for the prosecution and the defence, the condemnation of the prisoner, and his attitude before execution.

The Athens in which Socrates lived—the so-called Periclean age—constitutes perhaps the most remarkable microcosm of which history has record. In one small area and within one brief epoch flourished genius and talent enough to distinguish and adorn an extensive empire and a long history. Whilst nearly all the rest of Europe was more or less shrouded in darkness and ignorance, that wondrous city of Athena shone with a dazzling splendour of intellectual light and achievement. The realms of art, literature, political and philosophic thought, as well as practical statesmanship, had illustrious exponents and representatives. This efflorescence of genius was as rapid as it was unique. Indeed, taking even such narrow limits as the years, say, 460 B.C. to 420 B.C., we find therein poets, dramatists, historians, philosophers, statesmen, sculptors, and architects, who still dominate, in their respective spheres, the accumulated accomplishment of

civilisation. For example, Aeschylus brought out his great trilogy, the *Oresteia*, in 458 B.C., and died two years later, when Socrates was about thirteen or fourteen years old. Sophocles, who was born about 496 B.C., produced the *Antigone* in 442 B.C. (or 441); Euripides, born 480 B.C., produced the *Alcestis* in 438 B.C., the *Medea* in 431 B.C., the *Hippolytus* in 428 B.C., the *Suppliants* in 420 B.C.; and in 406 both Sophocles and Euripides died, that is, some seven years before Socrates. Herodotus (born 484 B.C.) was fifteen years older than Socrates, whilst Thucydides (born *c.* 471 B.C.) was the latter's almost exact contemporary. The activity of Pheidias (died 432 B.C.) began about 470 B.C.; and the painter Polygnotus was engaged between 472 and 465 in decorating the temples of the Dioscuri and Theseus, and other public buildings in Athens. The erection of the new Parthenon commenced 447 B.C. under the architects Ictinus and Callicrates, and was completed under the former about 438 B.C. In 462 B.C. Anaxagoras of Clazomenae, the physical philosopher, was in Athens; and two years later, when Pindar issued some of his most notable work, Democritus and Hippocrates were born. From about the middle of the century various comedies of Cratinus appeared; and about 448 the more famous Aristophanes was born, and produced the *Acharnians* in 425, the *Knights* in 424, the *Clouds* in 423, the *Wasps* in 422, the *Birds* in 414, the *Lysistrata* and the *Thesmophoriazusae* in 411, the *Frogs* in 405; and many other eminent names can readily be mentioned. The supreme object of the policy of Pericles was to make Athens "the school of Hellas" (*a*); and having regard to the then existing galaxy of intellects, we must admit that Athens deserved Hippias' description of her as the metropolis or Prytaneum of wisdom (τὸ πρυτανεῖον τῆς σοφίας) (*b*), and Socrates' own reminder (despite his searching criticism) of her renown for "wisdom and power of mind" (*c*). Socrates, who was about fifty in the year 420 B.C., was contemporary with all these immortals; and, considering the small area of the city and its multifarious public life, we may safely infer that he must have personally known many of them. But, as we shall see later, from the time he reached manhood he meddled very little with wars and politics, with literature and art, with sciences and philosophies;

(*a*) Cf. Thuc. ii. 35–46 (the famous funeral oration of Pericles, expressing superbly the lofty ideal of Athens in her best days).
(*b*) Plato, *Protag.* 337 d.
(*c*) Plato, *Apol.* 29 d.

rather, he devoted himself exclusively to his "mission," which was seemingly so simple, but was really of the profoundest significance and fraught with far-reaching consequences. He represented more than any other thinker of his time the reaction against the Ionian physical philosophy.

Now in this city of vaunted intellectual supremacy there were various currents and cross-currents, gradually widening and deepening, which imperilled the commonweal. The existence of many literary, philosophical, artistic, political, and oratorical geniuses in a city State of small area—especially in a State in which the citizens themselves, in the absence of representative government, exercise sovereign power in their assembly, are quickly susceptible to new ideas and "movements," and are prone to controversy and conflict—necessarily makes for instability and change. Athens in the fifth century was in a state of flux. In consequence of their increasing knowledge of different countries and peoples, the Greeks became alive to the great diversity of national customs, ideas, and institutions (*d*). The advancement of various philosophic and scientific theories together with the criticism and rejection of many inherited views promoted the growth of the spirit of individualism. The disasters brought by the Persian War (despite the brilliant half-century that followed), and especially by the Peloponnesian War later on, showed the impermanence of cherished institutions, the drastic destructibility of political *régimes* that had commanded confidence, and the evanescent or transitory character of sovereign power, so that the revolutionary movement was accelerated in the latter part of the fifth century. Thus thinking Greeks came to be more and more conscious of the relativity of human ideas and efforts, of human transactions and achievements (*e*). As Thucydides remarks, "men believed nothing but that nothing was secure" (*f*).

"In time of distress, under the burden of political and economic misfortune, men often turn to reconsider the basis of their beliefs and actions, to test the validity of the doctrines which have hitherto guided them. This was the case at Athens. The old beliefs went by the board; society, government, and religion all became subjects of doubt and of re-examination" (*g*).

(*d*) Cf. Herodot. iii. 38.
(*e*) See further *infra*, chap. viii.
(*f*) iii. 83.
(*g*) C. H. Moore, *The Religious Thought of the Greeks* (Cambridge: Harvard University Press, 1925), p. 133.

The latter part of the fifth century is frequently designated the "age of the Sophists," and there is no doubt that their influence was felt among many sections of the community and in all departments of thought and belief. The attempt of such writers as Grote (*h*) to clear them of the imputations that have been cast on them is scarcely justifiable in the face of the existing evidence; for Grote's contentions and his whitewashing process cannot avail against the combined testimony of Plato and Xenophon, Aristotle and Isocrates, and (for what it is worth) of Aristophanes (*i*). It is clearly established by these witnesses that the subjective standard of truth adopted by most of the Sophists—in religion as well as in political thought and moral questions—their conception of virtue and justice as matters of individual prudence and self-interest, their seductive reasoning (the ἀντιλογικὴ τέχνη, the art of arguing from contradictories), which had more superficial plausibility than logical sanction, all tended to promote a spirit of scepticism and arrogance, pretentiousness and deceitfulness, and anti-social doctrines generally. Plato, Xenophon, Aristophanes, and Isocrates spoke of their quackery (ἀλαζονεία), and Aristotle held up to scorn their sham wisdom (φαινομένη σοφία), and said (*k*) that they used their dialectic methods for a bad purpose. Xenophon observed (*l*) that, whilst they made people believe that they led mankind to virtue, in reality they led them in a contrary direction; they showed greater acuteness in words than in thoughts; they hunted for the rich and the young; they fostered the art of cheating, and made men not good and wise (σοφούς), but, like themselves, "sophistical" (σοφιστικούς) and fallacious disputants. Isocrates, too, pointed out that they disregarded the truth, and that their professions far surpassed their performances (*m*).

Euripides, who represents the disillusioned Athens of the Peloponnesian War, whilst Sophocles represents the proud Athens of Periclean imperialism, offers striking evidence of this growing unsettlement of things Divine as well as human. Orestes is made to say that the gods, with all their name for wisdom, are no less

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(*h*) *History of Greece*, chap. lxvii.

(*i*) Cf. E. M. Cope, "The Sophists," in *Journal of Classical and Sacred Philology* (Cambridge), vol. i. (1854), pp. 145–188, and the same writer's *Plato's Gorgias* (Cambridge, 1864), Introduction.

(*k*) *Rhet.* i. 1. 4.

(*l*) *De Venat.* xiii. 6, 7, 9 (contemporary testimony, even if the author is not Xenophon).

(*m*) *C. Sophist.* 1, 3. As to the Sophists, see further *infra*, p. 41, and chap. viii., chap. xvi., sect. i.

false than are fleeting dreams, that great confusion exists among Divine as well as mortal things, and that faith in oracles is foolish and often brings ruin (*n*).

This was, indeed, a time of general fermentation. In the political sphere stirring events occurred during the lifetime of Socrates. He witnessed the entire Peloponnesian War, as well as four revolutions in the civil government of his city. The political aptitude and training of the Athenian citizen population had its sinister side. Bitter hatred prevailed between the parties, and plotting and counterplotting were rife. Not infrequently members of the same families found themselves opposed to one another. Many of the ancient families had become or were becoming extinct. The destruction of large numbers of citizens in the wars and by the vengeance of ascendant parties and triumphant governments favoured the influx of non-Athenians whose ideas and beliefs now clashed with and now influenced the ideas and beliefs of the native population, thus complicating the position still more.

"Life had become," says Curtius, "more and more full of mysterious dangers and devoid of tranquillity; and the inborn vivacity and excitability of the Attic people had degenerated into a passionate restlessness, which had been only temporarily suppressed in consequence of the general exhaustion. A constant fluctuation in the daily state of public feeling possessed the city; and, says the comic poet Plato, he who had been absent from Athens during the space of three months was unable to recognise it on his return" (*o*).

The latter remark is obviously an exaggeration on the part of the comic poet; but of the city's rapid changes and susceptibility to oscillation in belief, moral and philosophic doctrine, as well as in political attitude, there is no doubt.

The very basis of Athenian democracy formed the subject of conflicting views and passionate controversy. Thus a practical statesman such as Pericles extolled and idealised his city and its polity, its culture, its liberty, and its liberalising potency. Others,

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(*n*) Cf., for example, *Iph. Taur.* 570 *seq.*:—

οὐδ' οἱ σοφοί γε δαίμονες κεκλημένοι
πτηνῶν ὀνείρων εἰσὶν ἀψευδέστεροι.
πολὺς ταραγμὸς ἔν τε τοῖς θείοις ἔνι
κἀν τοῖς βροτείοις· ἓν δὲ λυπεῖταί μόνον,
ὅτ' οὐκ ἄφρων ὢν μάντεων πεισθεὶς λόγοις
ὄλωλεν ὡς ὄλωλε τοῖσιν εἰδόσιν.

(*o*) E. Curtius, *History of Greece*, English translation (London, 1872), vol. iv., p 72.

such as Aristophanes (*p*), a professional satirist, and Plato, an ardent seeker of perfection, vehemently denounced the Athenian democracy as a breeder of selfish, ignorant, and mischievous demagogues who tried to cajole or bamboozle the loud-mouthed, hysterical mob—a many-headed monster prone to inflict "disfranchisement, fines, and death" on those who ventured to oppose it (*q*).

In the clash of conflicting ideas, in the bitter strife of sects and parties, with the resultant oscillation of public feeling, in the constant havoc of war, with its aftermath of poverty and misery, the sense and authority of tradition—especially that appertaining to religion—was being undermined. More particularly disasters to the State suffered at the hands of public enemies, despite prophecies of victory, showed that the art of divination was unreliable. It was the old belief in the gods and their oracular utterances that had contributed so much to foster the civic spirit of association, national cohesion, and communal organisation. It was the sanction of tradition that urged the individual largely to sacrifice his individuality for the good of the State; for the State had been regarded not only as a political organism, but also as a spiritual entity. But now doubt set in, and its disintegrating effect was felt in every department of thought and activity. The old Divine and moral laws were questioned; civil law was considered a matter of temporary expedience or the "interest of the stronger"; long-established customs were scouted; the purity of domestic life was giving way to irregularity; the reverential attitude of young men towards their fathers was weakening; and, generally, personal judgment and freedom of opinion were supplanting the dictates of authority and the old dispensation, and reckless, selfish conduct was taking the place of the former strict propriety and scrupulous regard for the public well-being.

This decay of tradition generally involved the decay of religion more particularly. Whilst, for example, Aeschylus and Sophocles exhibited in their work a reverence for, a fear of, and a submission to the gods and showed that sin and guilt were invariably overtaken by Divine retribution, and that the vicissitudes of human fortunes were controlled by superhuman power, Euripides regarded the fate of men as largely conditioned by natural causes—by will and effort, by character and circumstance, by

(*p*) See further chap. viii., *infra*, in connection with Aristophanes' attack on Socrates.

(*q*) Cf. Plato, *Repub.* vi. 494, 496; *Theaetetus*, 173–175.

deliberate calculation and by unforeseen accident (*r*). As against the old orthodoxy of Aeschylus and Sophocles, with their dogmatic utterance and serene attitude, is set the new heresy of Euripides, with his sceptical outlook and brooding, disturbed, disillusioned mind. "Euripides," observes a recent writer, "was a soldier of rationalism after the fashion of his time, a resolute, consistent enemy of anthropomorphic theology, a hater of embodied mystery, a man who, after his measure and the measure of his time, stood up to answer the Sphinx" (*s*). Though Euripides believed that only a fool could deny the existence of a supreme Deity, yet many of the tenets of the old faith he held to be mere fictions of the imagination or otherwise indefensible: for example, the human needs and feelings of the gods; the existence of the Furies (*t*); the account of the judgment of Paris (*u*); the story of the birth of, and other references to, Dionysus (*v*); the story of the banquet of Tantalus (*x*); the belief in prophecy ("The lore of seers is vain and full of lies") (*y*), in omens, sacrifices, and votive offerings. A man of pure life and not wanting in lofty ideals, a man given to reflection, profoundly moved by the woes and calamities of men, and animated by an irreconcilable sense of justice, he assailed the gods themselves for their misdeeds—for their cruelty and vindictiveness, for their treachery and licentiousness. Indeed, he was so contemptuous towards the current religious views that he adopted the uncompromising fundamental principle that if the gods do anything base they are not gods (*z*). Yet he was fully alive to the limitations of human reason (*a*), and frequently manifested an ardent religious craving, so that he swayed between the negations of reason and the promptings of faith. He had absorbed something of the Sophistic culture, but it did not satisfy his intimate yearnings and aspirations.

Thus Euripides was a creature of the age, and at the same time reacted on the age. His plays were not only witnessed by large sympathetic audiences, but were also studied by a rapidly increasing circle of readers, who found therein a poignant expression

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(*r*) Cf. *Iphig. Aul.* 1034.
(*s*) A. W. Verrall, *Euripides the Rationalist* (Cambridge, 1895), p. 260.
(*t*) *Orest.* 387.
(*u*) *Troades*, 963.
(*v*) *Bacchae*, 242 *seq.*
(*x*) *Iph. Taur.* 387–389.
(*y*) *Helena*, 744, 745: ἀλλά τοι τὰ μάντεων
ἐσεῖδον ὡς φαῦλ' ἐστὶ καὶ ψευδῶν πλέα.
(*z*) *Frag.* 292, l. 7: εἰ θεοί τι δρῶσιν αἰσχρόν, οὐκ εἰσὶν θεοί.
(*a*) Cf. the *Bacchae* generally.

of their discontent with a good deal of the ancient system, and who were at the same time stimulated to make further inquiry into other things that had been unquestioningly accepted by their fathers.

In practical life scepticism, along with the revolutionary spirit, had, as always, its serious drawbacks as well as its advantages. It is good for the State that thinking men, using their faculties honestly, should not be compelled by force to repress their reason or conscience and accept doctrines and opinions that have become controvertible. On the other hand, it is injurious to the body politic when scepticism becomes wholesale, indiscriminate, factitious. As such it leads inevitably to intellectual anarchy and confusion of vital values. Disregard of the higher ideals of life, involving as it does a surrender to mediate and subsidiary concerns, leads to moral supineness and social apathy, and so to the destruction of the very basis of corporate life. Thucydides, describing the conflict of democracy and oligarchy, and how it tended to ruin States and disorganise society, the emergence of the revolutionary spirit and the denial of both human and Divine law, and how this brought about changes in men's practical morals and in their very use of language, strikingly observes (*b*) :

" When troubles had once begun in the cities, those who followed carried the revolutionary spirit further and further, and determined to outdo the report of all who had preceded them by the ingenuity of their enterprises and the atrocity of their revenges. The meaning of words had no longer the same relation to things, but was changed by them as they thought proper. Reckless daring was held to be loyal courage ; prudent delay was the excuse of a coward ; moderation was the disguise of unmanly weakness ; to know everything was to do nothing. Frantic energy was the true quality of a man. A conspirator who wanted to be safe was a recreant in disguise. The lover of violence was always trusted, and his opponent suspected. He who succeeded in a plot was deemed knowing, but a still greater master in craft was he who detected one. On the other hand, he who plotted from the first to have nothing to do with plots was a breaker-up of parties and a poltroon who was afraid of the enemy. In a word, he who could outstrip another in a bad action was applauded, and so was he who encouraged to evil one who had no idea of it."

In this general revolutionary movement, whilst the old religion

(*b*) iii. 82 (Jowett's translation).

was losing its authority with various sections of the Athenian people; at the same time it was employed as a tool by politicians and adventurers for advancing their own interests. This practice was not unknown in any period of Greek history, but in the time of Socrates it was more rampant than ever (*c*). The influence of the hereditary priesthoods, naturally obscurantist in character and tendency, was made use of in conservative or superstitious quarters; and busybody citizens might get rid of or attack opponents or obstreperous persons by charging them with the capital offence of impiety, though on feeble or obscure grounds—in that way prosecutors might also, for their own purposes, gain the favour or approval of the orthodox sections of the community; the traditional legal code, of which much was antiquated and inadequate for the needs of the time, was invoked to obstruct progressive reform. Thus prosecutions were instituted against men who, thinkers of genuine philosophic spirit, endeavoured to attain to a loftier and purer conception of God than the crude ideas and anthropomorphic figments prevailing among the people; against such as propounded a materialistic or mechanistic view of the world and considered the popular divinities to be myths that had arisen through the awe and terror inspired by the various striking phenomena of Nature; against those who expressed unbelief in the religious mysteries; against such as declared that man's fortunes and misfortunes were not dependent on the intervention of a multiplicity of gods; against those who taught that knowledge and self-knowledge, and not merely blind belief, were necessary to salvation; and so on (*d*). It is just to add, however, that, despite occasional prosecutions of this kind, there was, on the whole, a large measure of toleration in Athens (*e*). Moreover, side by side with doubt and unbelief, the worship of foreign divinities was introduced, and superstitious practices abounded (*f*). This was due partly to overseas intercourse and the arrival of alien settlers (*g*), partly to the growing curiosity of sections of the native population and a desire for novelty and change, and partly (as Thirlwall points out (*h*)) to recurring plagues which drove many terrified people to adopt new modes of expiating sin. No doubt, too, the calamities brought by the Pelo-

(*c*) See L. Campbell, *Religion in Greek Literature* (London, 1898), p. 301.
(*d*) See, further *infra* on impiety and the death penalty, chap. x.
(*e*) See *infra*, chap. x.
(*f*) Cf. P. Foucart, *Des associations religieuses chez les Grecs* (Paris, 1873), pp. 55 *seq.*
(*g*) Cf. Aristoph., *Birds*, 1525. See Curtius, *op. cit.*, p. 73.
(*h*) *History of Greece*, vol. iv. (1847), p. 286.

ponnesian War and other conflicts contributed to invest the minds of many with a morbid fear of the superhuman powers (δεισιδαιμονία) and inexplicable happenings. It may be that some of the rites associated with the Phrygian god Sabazius, the Thracian goddess Cotytto, the Syrian god Adonis, etc., were used, like the Roman Bacchanalia, as a cover for orgiastic excesses.

The credulity of Athenians was grossly abused by quacks, impostors, and conjurers, who obtained offerings in return for promises of absolution from sin. A class of religious beggars, the so-called Orpheotelestae (Ὀρφεοτελεσταί, or μητραγύρται), went about from house to house with utensils declared to be sacred (*i*) and with a mass of literary forgeries alleged to be the writings of Orpheus and Musaeus, and, for a consideration, received men into their secret associations. Plato tells us (he represents Adeimantus as saying to Socrates) that by means of such forgeries they " persuade not only individuals, but whole cities, that expiations and atonements for sin may be made by sacrifices and amusements which fill a vacant hour, and are equally at the service of the living and the dead ; the latter sort they call mysteries, and they redeem us from the pains of hell, but if we neglect them no one knows what awaits us " (*k*).

Even ventriloquists succeeded in deceiving the simple-minded in their claim that a daemon pronounced prophecies by their lips. One of these tricksters, named Eurycles, achieved such notoriety and success in Athens during the earlier period of the Peloponnesian War that he gave his name to a school of ventriloquial prophets (*l*). (We need not wonder that in fifth century Athens such religious and spiritual degeneration, such gullibility and ludicrous deceptions, existed in the city along with remarkable enlightenment and magnificent achievements : in twentieth century England a great many people have been and are being taken in, despite frequent exposures of fraud and trickery, by the " revelations " of spiritualistic mediums and other kindred practitioners.)

In these circumstances the earlier art, distinguished by its dignity and nobility, by its simplicity, clarity, blitheness, and harmonious beauty, was giving way to a newer art, marked by a seeking after mere effect, by a certain affectation, sometimes by a tortured uneasiness and lack of balance. The undermining of the

(*i*) Aristoph., *Frogs*, 159.
(*k*) *Repub.* ii. 364 e.
(*l*) Cf. Aristoph., *Wasps*, 1019 ; Curtius, *loc. cit.*, p. 73.

old religious faith, which had fostered human and civic virtues and promoted national unity and brotherhood, brought with it, or indirectly involved, private and social indiscipline, luxurious self-indulgence and licence as well as insincerity, self-seeking, dissociation, and precariousness in the political life of the community; the obsession of indiscriminate doubt and denial, encouraged by a debased sophistry (*m*) (which came to be confounded with philosophy), together with the diverse religious vagaries and mystifications to which so many men surrendered, did much to deaden or pervert the moral sense, especially the sense of civic obligation and public service. Whilst people endeavoured "to calm the conscience by means of external usages and charms, no value was attached to an inner purification" (*n*).

We are not to conclude from the above considerations that Athens was, at the close of the Peloponnesian War, entirely in a state of corruption and decay, or that its spirit was irremediably exhausted. There is no doubt that the people could still manifest, as in the proceedings after the Four Hundred and after the Thirty, "a large measure of virtue and judgment" (as Grote justly contends) (*o*). But that is not necessarily incompatible with the conclusion that seeds of degeneration and disruption had been sown; that sections of Athenian society had been affected thereby; that the unity, harmony, and spirit of association existing in the national life at the time, say, of Aristides and Miltiades had been considerably impaired; that the conscientiousness and disinterestedness of political leaders was less conspicuous; that one can discern licentiousness here and indifferentism there in morals, apathy among some and grotesque distortions among others in regard to religion, a certain nihilism here and perversions there in the spheres of philosophy and science, together with arrogant pretensions and self-conceit on the part of many of the Sophistic teachers and their pupils.

Thus there was need for regeneration; for this purpose the times called for a new agency of correction and illumination—and that agency was found in the person of Socrates.

(*m*) As to the Sophists and the confounding of Socrates with them, see *infra*.
(*n*) Curtius, *op. cit.*, p. 74.
(*o*) *History of Greece*, 10 vols., 4th ed. (London, 1872), vol. vii., p. 55.

CHAPTER II

SOURCES AND AUTHORITIES

Non laudandus est, qui credit plus qui audit, quam qui videt;
Non placet, cum illi plus laudant, qui audiunt, quam qui vident;
Pluris est oculatus testis unus, quam auriti decem.
Qui audiunt, audita dicunt; qui vident plane sciunt.

(Plautus.)

(I don't commend the man who rather trusts
His ears than eyes.—It discomposes me
When those are louder in their commendations,
Who've only heard reports, than those who saw
The deeds performed.—And one eye-witness weighs
More than ten hearsays. Seeing is believing
All the world o'er.)

Οὗτος μέντοι ὁ ἔπαινος ἐστι καλὸς, ὃν σὺ νῦν ἐπαινεῖ ὑπ' ἀνδρῶν ἀξίων πιστεύεσθαι. (*Laches*, 181 b.)

(That is very high praise which is given to you by faithful witnesses.)

It will be well at this stage, before setting forth the main events of the life of Socrates, to consider briefly the sources and authorities whence we gather our little knowledge of his life, teaching, trial, and death. Socrates left no writings (*a*). It is impossible to say whether he did write anything that was afterwards irrecoverably lost, or whether he deliberately avoided writing. Accounting for the absence of such autographic record, Heine characteristically observes: "That the husband of Xanthippe should have become so great a philosopher is remarkable. Amidst all the nagging, to be able to think! But write he could not; that was impossible" (*b*). This explanation is perhaps no less plausible than certain conjectures that are sometimes put forward; at least it has the merit of simplicity.

We have therefore to look for the records of Socrates in the writings of others; for example, Plato, Xenophon, Aristophanes, Aristotle, and—for what they are worth—subsequent authors. With regard to the historical value of each of these sources there has long been, and there is still, a wide difference of opinion

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(*a*) Cf. Cic. *De Orat.* iii. 16; Plut. *De Alex. fort.* p. 328; Diog. Laert. i. 16.
(*b*) *Letzte Gedichte und Gedanken* (Hamburg, 1875), p. 197 (ed. A. Strodtmann).

among classical, philosophical, and historical writers (*c*). Indeed, in some quarters (for example, a recent German writer) the view has been expressed that none of the extant accounts is of any worth: truth and fiction are so inextricably interwoven in the Socratic dialogue-literature that, with the exception of the execution, scarcely anything is certain (*d*). According to such opinion, the Socrates so minutely depicted by Plato, the Socrates so lovingly portrayed by Xenophon, the Socrates so fervently caricatured by Aristophanes, are all alike creatures of the imagination, which convey no reliable information to us about the philosopher, his work and personality. No belief is to be placed in the most specific and circumstantial accounts of Plato, such as that of the campaigns of Socrates and that of his association with Alcibiades: the latter is deemed a malicious invention of the rhetorician and Sophist Polycrates, who issued a Chauvinistic pamphlet about 390 B.C. intended to vilify Socrates and his young disciples in the eyes of the Attic democracy, and to lay the blame on him for the sins of Alcibiades. Protests against this libellous accusation followed; but Plato did not stoop to contradict it—as a poet the idea of bringing the two men together seemed an interesting one to him, so that he wove his story round it (*e*). Such uncompromising, wholesale scepticism and denial, which effect a *reductio ad absurdum* of the testimony of Plato and Xenophon and the rest, cannot at all carry conviction: it is the opposite extreme to that of blindly and implicitly accepting every detail that is found in the ancient writers. That both these extremes—complete nihilism on the one hand and indiscriminate acceptance of everything on the other—are equally untenable will be shown by briefly considering the nature, applicability, and value of the testimony furnished by each of the main authorities.

(i.) PLATO

Plato was about thirty years of age at the date of Socrates' death. We know that many young men were fascinated by the personality and philosophical procedure of Socrates; and it is

(*c*) The question is fully discussed by J. Bruns, *Das literarische Porträt der Griechen im fünften und vierten Jahrhundert vor Christi Geburt* (Berlin, 1896); see especially pp. 181–200.

(*d*) A. Gercke in A. Gercke and E. Norden, *Einleitung in die Altertumswissenschaft*, 3 Bde. (Leipzig and Berlin, 1910–12), vol. ii., p. 366: "Dichtung und Wahrheit ist in der sokratischen Dialogliteratur so unentwirrbar miteinander verwoben, dass ausser der Hinrichtung selbst fast nichts gesichert ist."

(*e*) *Ibid.*, p. 367. Cf. R. von Pöhlmann, "Das Sokratesproblem," in *Aus Altertum und Gegenwart*, Neue Folge (München, 1911), who is almost as sceptical as the former writer.

not a far-fetched assumption for us to suppose that Plato was as a very young man, probably as a mere youth, attracted by one whom he ever venerated as his master. His work reveals, from the very first, the profound transfiguring influence exerted on him. Plato tells us—and there is no possible reason for rejecting the statement—that his uncle Charmides had already personally known Socrates ; and it is not unreasonable to believe that Plato at a very early age must have made the acquaintance of Socrates. Thus Plato, gifted with exceptional powers of intellectual penetration, of understanding and appreciating striking character and personality, and of vividly portraying it, and possessing a profound interest in things human and Divine, must have taken full advantage of the ample opportunities he had of observing, listening to, and conversing with Socrates, of getting information about him from Charmides and other members of his own family as well as from friends and acquaintances of Socrates and his family. From that marvellous sequence of Dialogues, reverently and eternally consecrated to the undying memory of his beloved master, we can extract the elements of a fairly substantial biography of Socrates ; and, whatever modification we may find necessary to make therein, the Platonic portrait is at all events intrinsically consistent and intelligible.

We need not discuss the classification and order of the Dialogues (*f*), nor go into such historical, stylistic, and philosophical considerations as are necessary for separating the doubtful and spurious writings from the authentic. Suffice it to say that, among those universally accepted as authentic, the earliest dialogues—*Laches*, *Charmides*, and *Lysis*—deal with single and familiar ethical conceptions (*e.g.*, courage, temperance (σωφροσύνη), friendship) ; these are followed by another group of three, more dramatic than the preceding inquiries—*Protagoras* (as to the unity of virtue), *Ion* (on the rhapsodic art, whether rhapsodists and even poets possess definite knowledge of the things depicted by them so vividly), and *Meno* (whether virtue can be taught) ; then we come to a striking series—*Euthyphro*, *Apology*, *Crito*, and *Phaedo*, which not only deal with ethical and philosophical questions, but also present a movingly dramatic account of the trial, imprisonment and death of Socrates. One would like to believe that the dialogues of this Socratic tetralogy were written in the order shown above, as they are concerned, respectively, with

(*f*) Cf. L. Campbell, *Plato*, in *Encyc. Brit.* (Cambridge, 1911).

Socrates' accusation, trial, imprisonment, and execution; but there is no cogent evidence to show that they were written in that order, or that they were written consecutively at all in any other order, or indeed that they were all written before the remaining dialogues of Plato. However this may be, this circumstance does not necessarily militate against the evidentiary value of these biographical dialogues for arriving at a logically constructed story of a large and important portion of the life of Socrates (*g*).

Instead of speaking of this tetralogy of dialogues, we might with perhaps equal appropriateness regard the *Apology*, the *Crito*, and the *Phaedo*, as constituting a trilogy with Socrates as the dominating protagonist, whilst the *Euthyphro* might be considered a prologue thereto; and of this trilogy the *Apology* contains Socrates' "apologia pro vita sua," whilst the *Crito* and the *Phaedo* set forth his "apologia pro morte sua" (*h*).

Euthyphro. If we may say that the essential subject of inquiry in the *Laches* is courage, in the *Charmides* temperance, in the *Lysis* friendship, and so forth, then we may also say that the essential subject of investigation in the *Euthyphro* is piety or holiness. Plato, writing probably about 395 B.C. (some four years after the death of Socrates (*i*)), during his residence in Athens, where he witnessed occasional attacks on the memory of his revered master, on the one hand attempted to define "piety," and to show that its essence consists in the Socratic "virtue," and on the other hand refuted the charge of impiety that had been preferred against Socrates. He shows that the questioning, inquiring, uncertain attitude of Socrates is more reverent than the unreasoning orthodoxy and hierarchical cocksureness of Euthyphro, the Athenian diviner and soothsayer (μάντις). Plato represents Socrates as proceeding on his way to the office of the King Archon (before whom cases connected with religion were brought in the first place), for the purpose of delivering a preliminary answer to the accusation of impiety brought by Meletus. The accuser and the nature of the accusation are briefly described. In this dialogue

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(*g*) Cf. H. Maier, *Sokrates: sein Werk und seine geschichtliche Stellung* (Tübingen, 1913), especially at p. 147. He emphasises the *Apology*, the *Crito*, and the speech of Alcibiades in the *Symposium* as historical sources. But this restricts the evidence too narrowly, and for inadequate reasons.

(*h*) J. Adam, *Platonis Crito* (Cambridge, 1888), p. vi.

(*i*) Cf. J. Burnet, *Plato's Euthyphro, Apology and Crito* (Oxford, 1924), p. 4. Schleiermacher was of the opinion that this dialogue was written in the interval between the making of the accusation before the King Archon, and the trial, and this view is followed by C. Ritter, *Platon*, vol. i., (pp. 67, 273), but rejected by the majority of modern writers. Cf. Wilamowitz-Moellendorff, *Platon*, vol. i., p. 201.

the accuser, whose view of the offence in question springs from his blind adherence to a heterogeneous mass of unexamined tradition, is the counterpart in secular life of the priestly Euthyphro, whose pretended knowledge of Divine things and man's duty thereto is proved by the Socratic cross-examination to be full of inconsistency and confusion (*k*). Thus the *Euthyphro* is (despite strict chronological sequence in regard to composition) to some extent of the nature of an anticipatory defence against this charge of impiety, and so it prepares the way for the grand *Apology*.

Apology. The *Apology* sets forth the case for the prosecution and, more fully, the case for the defence. Instead of following the usual dialogistic exposition, it takes the form of a speech addressed at the trial to the large assembly of judges. Socrates endeavours not only to disprove the various counts in the indictment, but also, affirmatively, to establish his innocence ; and in so doing he has recourse for a time, conformably to his legal right, to his customary searching cross-examination. Meletus, subjected thereto, very soon gave way, in the course of his evidence, to self-contradiction and absurdity. Socrates' defence, moreover, is " his whole life." Amidst interruptions from his judges, Socrates proceeds, with consummate calmness and dignity, to expound his " mission " consecrated by Divine command, and to justify his life and single-minded activity, and, to the annoyance of hostile members of the court, declares that he ought to be honoured and maintained by the State as a public benefactor. All the elements of the *Apology*, the various issues at the trial, the questions involved in the prosecution and the defence, and the evidentiary cogency of the claims made by both sides will be fully considered later on (*l*). For the present it will suffice to add that Plato undoubtedly intended the *Apology* to constitute a triumphant vindication of the conduct and teaching of Socrates, and a glorification of his character, personality, and spirit.

The question, however, of the historical applicability and accuracy of the *Apology* arises here. It has been a long-standing controversy among scholars ; and it must briefly be dealt with at this point in order to show our attitude towards the problem in view of the use made by us of this work in our discussion of the trial of Socrates. In the first place, it may be noted that the

(*k*) See *infra*, chap. vi., for an analysis of the *Euthyphro*, which presents an excellent example of Socrates' dialectic method.

(*l*) See chaps. xiv. *seq.*

authenticity of the *Apology* has sometimes been denied altogether. Thus a German writer (*m*) at the beginning of the nineteenth century maintained that it was unworthy of Plato because it lacked the true Platonic irony (*n*) and intrinsic harmony of feeling. But the irrelevance of this critic's arguments on this point and the factitious standard of literary composition set up by him have been well commented on by Grote (*o*), with whom we cannot but agree, and whose wholesome warning we may well bear in mind when we are confronted with such complete denial or facile scepticism as to the authorship or genuineness of an ancient literary work.

"His arguments," observes Grote, "are rather objections against the merits of the composition, than reasons for believing it not to be the work of Plato. I dissent from them entirely: but they show that an acute critic can make out a plausible case, satisfactory to himself, against any dialogue. If it be once conceded that the question of genuine or spurious is to be tried on such purely internal grounds of critical admiration and complete harmony of sentiment, Ast might have made out a case even stronger against the genuineness of the Phaedrus, Symposion, Philebus, Parmenides."

The same critic—whom various later writers appear to have too readily followed—urges also that the *Apology* does not contain the ideal philosophy of Plato; but this is an objection which, in view of the scope and purport of the work, is really too absurd to answer. Again, he says that in the *Apology* the immortality of the soul is spoken of with a certain doubt, which is different from the view expressed in the *Phaedo*, an admittedly Platonic dialogue. The answer to this is that the ideas of thinkers do not necessarily remain static, but are subject to development; and—apart from the fact that the *Apology* constitutes in the main a forensic defence against various charges—it may well be that Socrates was really doubtful about immortality (as he was about other questions) when he addressed the court, but that after dwelling closely and repeatedly on the great problem during his thirty days' imprisonment before execution he came to accept the belief, and on the last day sought to console and hearten his

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(*m*) G. A. Ast, *Platons Leben und Schriften* (Leipzig, 1816), pp. 474 *seq.*

(*n*) Some critics apparently expect Socrates to maintain his irony in his trial for his life just as much as in his conversation in the market-place!

(*o*) *Plato and the other Companions of Socrates*, 3 vols., 2nd ed. (London, 1867), vol. i., p. 281.

sorrowing friends. And even then he did not speak positively throughout. But there is another consideration: the whole eschatological discourse is most probably Platonic rather than Socratic, and Plato may have dramatically attributed to Socrates such elaborately reasoned views on immortality as his master might have held had he chosen to investigate the problem in the same dialectic manner and as thoroughly as he investigated other questions.

Further, the following argument is advanced also against the authenticity of Plato's *Apology*: "Xenophon's *Apology* appeared later than the pretended Platonic *Apology*: but therein Xenophon says that no one before him has sufficiently brought into view Socrates' indifference towards death. Now the Platonic *Apology* does speak of this feeling of Socrates. Therefore Xenophon knew nothing of the Platonic *Apology*; and it is the work of a later rhetorician." Here the premises of the syllogism do not warrant the conclusion. Xenophon may quite well have known of Plato's *Apology* and yet have believed that Socrates' attitude towards death was not properly represented in it; Xenophon's interpretation of such attitude is not exactly the same as Plato's, and it does not follow that Xenophon's was the more accurate one. To say that the Platonic *Apology* as we know it must be the work of a later rhetorician because Xenophon is alleged to have known nothing of it is bad reasoning.

Taking the *Apology*, then, as undoubtedly a genuine production of Plato, we may now ask whether it truly represents what actually took place—that is to say, whether it is not only authentic, but also historical. Three views have been advanced: first, that it is a precise representation of the speech of Socrates as delivered in court; secondly, that it is a pure fiction—a literary invention on the part of a consummate artist devoted to the memory of a beloved master; thirdly, that it is a compound of historical truth and dramatic fiction.

There are nowadays very few advocates of the first view. It is generally agreed that the work was produced several years after the occurrence of the events described in it; and there is no evidence—indeed, it is highly improbable—that Plato, who was present at the trial, made at the time a verbatim report of the proceedings and the speeches and kept it for future publication. The second view—the fiction theory—was already propounded in early times. Thus the great critic Dionysius of Halicar-

nassus (*p*) considered the *Apology* to be neither an exact nor even an approximate report of Socrates' speech in court, but a panegyric in the form of an apology (ἐγκώμιον ἐν ἀπολογίας σχήματι), an imaginative composition of Plato intended to vindicate and glorify the victim of the Athenian democracy, to deprecate the conduct of his detractors and the proceedings of his judges, and to depict a portrait of an ideal philosopher. (It may be noted, however, that in his strictures on Plato Dionysius is captious and dogmatic : for he strongly condemns, besides his style, his bad taste for dealing with political and judicial questions, and for writing " accusations and defences "—as " he is then unlike himself, and does discredit to the dignity of philosophy " !) This pronouncement on the *Apology* is followed and is expressed even more emphatically and confidently by an increasing number of modern scholars, especially of the German school (*q*). Some of their arguments, however, lack logical cogency ; others are mere assertions based on a minute analysis of, and excessive importance attached to, comparatively trifling points ; others, again, are due to a general preference shown for the testimony of Xenophon (*r*). One of the ablest and clearest of these critics maintains that as the *Apology* omits to make due provision for the adducing of evidence, and as the style of the work is similar to that of the other dialogues of Plato, it must be therefore a pure creation of Plato (*s*). In answer to this we may say, first, that, although the *Apology* does not make formal provision for the introduction of witnesses, as the orators do in the records of their speeches in court, it does make mention of evidence,—what is more, it will be shown hereafter (*t*) that the *Apology* possesses various legal and forensic characteristics ; secondly, it is incorrect to say that the style of composition of the *Apology*

(*p*) Τέχνη ῥητορική (*Ars Rhetorica*), ed. H. A. Schott (Leipzig, 1804), chap. viii, par. 8, pp. 142–144 ; par. 12 ; *De Eloquentia Demosthenis*, par. 23.

(*q*) For example : R. von Pöhlmann, " Das Sokratesproblem," in *Aus Altertum und Gegenwart*, Neue Folge (München, 1911), pp. 1–117. M. Schanz, *Sammlung ausgewählter Dialoge Platos, mit deutschem Kommentar*. Drittes Bändchen : *Apologia* (Leipzig, 1893), pp. 5 *seq.* A. Döring, *Die Lehre des Sokrates als sociales Reformsystem* (München, 1895). K. Joël, *Der echte und der Xenophontische Sokrates*, 2 vols. (Berlin, 1893–1901). Similarly, G. Murray, *History of Ancient Greek Literature* (London, 1897), at p. 174 : " Of course the Platonic *Apology* is fiction."

(*r*) As to which see further on in the present chapter.

(*s*) Schanz, *op. cit.*, p. 75 : " So führt denn eine genauere Betrachtung der Apologie auf den Satz, dass dieses Werk eine Schöpfung Platons ist." Cf. E. Meyer, *Geschichte des Altertums*, vol. v. (1921), p. 227, who says that he cannot at all agree with Schanz's treatment of Socrates' trial : " Ueber den Process des Sokrates kann ich den scharfsinnigen Untersuchungen von Schanz . . . kaum irgendwo beistimmen."

(*t*) See *infra*, chap. xvii.

is exactly like that, say, of the *Republic*, the *Laws*, etc.,—besides, even assuming a complete similarity of style, such criticism would be merely an answer to the contention that the *Apology* is a verbatim report of Socrates' speech.

The third theory is that the *Apology* is a compound of truth and fiction. As the presumption must reasonably be in favour of its truth generally, and as there is no visible or discernible line of demarcation between its truth and its alleged fiction, the theory in this form is not acceptable. It will, however, become admissible, if by " fiction " we mean a greater or less departure from the strict form of the original speech by the introduction of much of Plato's own phraseology—how much we cannot possibly tell—but without departing from its substance. In other words, it is not a verbatim record, but it is accurate in essential substance and spirit (*u*). We are reminded of what Thucydides says about the magnificent speeches that he incorporated into his history : " As to the speeches which were made either before or during the war, it was hard for me, and for others who reported them to me, to recollect the exact words. I have therefore put into the mouth of each speaker the sentiments proper to the occasion, expressed as I thought he would be likely to express them, while at the same time I endeavoured, as nearly as I could, to give the general purport of what was actually said " (*x*). Plato was present in court : he was not there out of idle curiosity or in search of the " sensational " ; he attended as an affectionate disciple of the prisoner,

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(*u*) Among those who maintain that the *Apology* is quite trustworthy as to facts are : F. D. E. Schleiermacher, *Ueber den Werth des Sokrates als Philosophen*, in *Sämmtliche Werke* (Berlin, 1834–64), vol. ii. (1838), pp. 287–300 ; E. Zeller, *Socrates and the Socratic Schools*, Eng. trans. (London, 1868) ; Grote, *op. cit.* ; F. Ueberweg, *History of Philosophy*, 2 vols., Eng. trans. (London, 1875–76), vol. i., p. 84 ; T. Gomperz, *Greek Thinkers*, Eng. trans., vol. ii. (London, 1908), p. 101 ; E. Boutroux, *Historical Studies in Philosophy*, Eng. trans. (London, 1912), p. 15. The last-mentioned writer says that its truth to fact is borne out by various details, among which is the strange prophecy Socrates made to the judges, that after his death a greater number of accusers (ἐλέγχοντες, censors) would arise against the Athenians, and these would be younger and more inconsiderate, and so would denounce them more harshly (*Apology* 39 c, d). " This prediction, which does not appear to have come to pass, would certainly have been omitted in an apology invented by Plato himself." J. B. Bury, *History of Greece* (ed. 1922), p. 581 : " There can be no question that this work reproduces the general outline of the actual defence, which is here wrought into an artistic form." A. E. Taylor, *Plato* (London, 1926), p. 156 : " We must, of course, understand that, like all the circulated versions of celebrated speeches (those of Aeschines and Demosthenes in the matter of the ' Crown,' for example), the published speech is supposed to have been ' revised ' in accord with the canons of prose-writing. Plato has, no doubt, done for the defence of Socrates what men like Demosthenes did for their own speeches before they gave them to the world. At the same time we clearly have no right to assume that the process of revision and polishing involves any falsification of fundamental facts."

(*x*) i. 22 (Jowett's trans.).

with an intimate knowledge of his mind and thought, as an intellectual and artistic genius with exceptional powers of understanding, of memory, and of expression ; and what he heard his master say on this supreme occasion must have made a profound and lasting impression on his mind. Besides, in the interval between the trial and the composition of his work he had many opportunities of conversing with other eyewitnesses and " comparing notes," of rehearsing the scenes they had witnessed and recalling the arguments used and the significant passages in the address. We must remember that the court consisted of some five hundred judges, and there was besides a large audience, including many distinguished men of Athens, many friends of Socrates as well as many enemies of his. It would have been impossible for Plato to deceive the public by issuing a speech expressly ascribed to Socrates, and making it false to facts : such an attempt would have been a misrepresentation doomed to futility, for it would—especially in that age given to controversy —have provoked corrective replies and counterblasts, that would have been noticed by subsequent detractors in their writings. The trial and execution of the philosopher would have been for a long time the talk of Athens and of other cities too ; and everybody would have had vivid pictures painted of Socrates' defence, his manner, his demeanour, and of every significant feature. His inveterate dialectic method and eristic spirit could scarcely be excluded from this defence of his—which to him was after all but a continuation of his lifelong defence against the forces of untruth and pretension—and so we find such method and spirit appearing in Plato's record. His famed equanimity, passive resistance, nonchalance, intrepidity, are manifested here, where he refuses to conciliate the judges, and treats the actual accusation with contempt. (This has actually been taken by certain modern commentators as going to prove that the *Apology* is fiction—to such an extent is reasoning subjugated by prepossession !) All these things are in accord with our knowledge of the historical Socrates acquired from all the various sources, and they are not incompatible with the new circumstances created by the accusation. All these things are true to life and true to fact, even though Plato may adopt a slight embellishment here, and make a slight adjustment of phraseology and sequence of expressions there ; for his attitude is that of a true artist of penetrating vision, not that of a shorthand reporter ; his picture is a portrait, not a photograph. Deviation from actual truth would have been

to Plato gross disloyalty to his master as well as a violation of his art and the truth-searching spirit of his entire philosophy.

Crito. What has been said of the *Apology* may perhaps with equal truth be said, *mutatis mutandis*, of the remaining dialogues of the Socratic tetralogy. The *Crito* represents Socrates as lying in prison under sentence of death, his execution having been exceptionally postponed for a period owing to religious dictates (*y*). His friend Crito urges him to escape, which could be easily brought about. But Socrates, mindful of the supremacy of the law and uncompromisingly obedient thereto, refuses : to do so would make him a disloyal and lawless citizen.

The events narrated in the *Crito* follow, of course, those described in the *Apology ;* but there is no evidence that the *Crito* was written immediately after the *Apology.* The representation of the nether world given in the one differs in certain respects from that given in the other ; and, as has been suggested by more than one writer, the fact that the *Crito* is not presupposed in the *Phaedo* appears to show that the *Crito* is of a relatively late date (*z*). In regard to construction it is one of the simplest of Plato's dialogues, and recalls the earlier drama in which only two persons appeared on the stage ; and in style it is less dialectical than rhetorical. The *Crito* may perhaps be regarded as forming a counterpart to the *Apology*, in that it involves something of the nature of an imaginary trial, in which Socrates is now the judge, Crito is the prosecutor, and the State together with its laws is the accused. The charge is wrong-doing (ἀδικεῖν), and the verdict pronounced by the judge is an acquittal. The laws are personified in a striking manner, and the State is made to plead in its own defence (*a*). It may be added that in writing this work an additional special aim of Plato may have been to clear himself and his associates from suspicion of favouring attempts to effect a political revolution by unconstitutional means.

Phaedo. The *Phaedo* is one of the most dramatic, one of the most beautiful, and one of the noblest of Plato's works. The *Crito* shows us Socrates' submission to the law and his refusal to avail himself of means of escape from prison, despite the anxious importunity of his bosom friends ; the *Phaedo* portrays the final stage of the sublime Socratic tragedy, and shows us his submis-

(*y*) See *infra*, chap. xix.
(*z*) T. Gomperz, *Greek Thinkers*, Eng. trans. (London, 1905), vol. iii., p. 51.
(*a*) Cf. J. Adam, *Platonis Crito* (Cambridge, 1888), p. vii. ; and see more fully *infra*, chap. xix.

sion to and reconciliation with Death, amidst the most poignant scenes, in which the hearts of his friends are broken with grief, whilst the triumphant protagonist himself remains unperturbed and even cheerful. With its perfection of style, harmony of composition, richness of matter, above all its dignity of treating the question of the immortality of the soul, and the justification of Socrates' majestic equanimity in the face of death, and the vindication of his long-established belief in the true, the just, and the good, the various dramatic incidents interwoven ancillary to the grand design—with all these unique qualities, the *Phaedo* could not but serve for centuries as a pasture for great souls (*b*).

Whilst the *Crito* portrays Socrates' attitude to the political society in which he lived and to the positive law prevailing therein, the *Phaedo* portrays Socrates' attitude to the cosmos and to law eternal. Probably some of the eschatological ideas contained in this work are Plato's own ; but there is no doubt that the whole is imbued with Socrates' spirit and personality, and that the narrative of events is true to fact (*c*).

Symposium. Gorgias. Two other dialogues, which have some bearing on the life of Socrates, may be briefly referred to. The *Symposium* (or *Banquet*) and the *Phaedo* may fittingly be regarded as companion pictures. As a commentator on the latter dialogue well puts it (*d*) :

" The one is the representation of the sunshine of the life, the other the shadow of the death, of Socrates. The one is radiant with smiles over the wine-cup : the other glistening with tears over the poison-chalice of Death. The design of the *Banquet* is to draw down the spirit of Love to dwell in the sphere of the Mortal and Perishable, and is therefore the glorification of Life : that of the *Phaedo* is to raise the spirit of Knowledge to the sphere of the Immortal out of the dust of Mortality, and is therefore the glorification or irradiation of Death."

In this exposition of the theory of love and the cult of beauty, the dialectician and the ethical philosopher in Plato are subordinated to the visionary poet in him ; and in his conception of the highest love, which is directed to the loftiest and purest abstraction in a supramundane sphere, Plato ceases to be a mere

(*b*) See the latter part of chap. xix. for a fuller account of the contents of the *Phaedo* and of Socrates' last hours.

(*c*) There is no certainty as to whether the *Phaedo* followed or preceded the *Apology*. Professor Burnet thinks that the *Phaedo* is an earlier work (*Plato's Phaedo* (Oxford, 1911), p. x.).

(*d*) W. D. Geddes, *The Phaedo of Plato* (London, 1885), p. viii.

disciple of Socrates, and sets forth his own more developed views. But the portion of the dialogue that directly concerns us here is the record of the speech of Alcibiades, which may be well taken, if not as a strictly historical document, at all events as a true account of the magnetic and fascinating personality of Socrates (*e*).

The *Gorgias* discusses the nature and essence of rhetoric, which played a large part in the public life of Athens. As against the dogmatic and arrogant rhetoric Plato sets the freedom and independence of philosophy. And so he makes an attack on the rhetoricians, as well as on the existing political democracy of Athens, whose intolerance and fundamental ignorance brought Socrates to his death.

There is no need to go through the other dialogues of Plato and endeavour to pick out such portions of them as appertain clearly or more or less probably to the life, character, doctrines, and death of Socrates. It is quite likely that in his later work Plato's own maturer and progressive thought asserted itself; though it cannot be maintained with confidence that the influence of Socrates played no part in it at all. We cannot, of course, take literally Plato's own striking avowal, which was obviously dictated by his love and reverence for Socrates. Speaking of his various contributions to philosophy, he observes: "I have never myself written anything on these subjects, and there is no treatise by Plato, nor ever shall be; what now bears the name belongs to Socrates beautified and rejuvenated" (*f*). However this may be, the portrait of Socrates that we derive from Plato, especially from the earlier series of dialogues considered above, is the portrait of a living man. It is not a fictitious picture of his imagination; it is drawn from the life and from actual facts. It is impossible to believe that a philosophical thinker, no matter how much literary skill and dramatic power he may possess, can merely from his inner consciousness evolve such a distinctive, consistent, extraordinary figure. "It is easier to believe in the power of Nature to create such a character," observes a recent writer, "than in the ability of an author to imagine it" (*g*). Besides, Plato did not purport to write as a purely imaginative author; there is never any suggestion or implication of any sort that he is giving us an invented character. He wrote—at all

(*e*) See *infra*. latter part of chap. iv.
(*f*) Plato, *Epist.* ii. 314 c.
(*g*) P. E. More, *Platonism* (Princeton, 1917), p. 3.

events, his earlier work—rather as a biographer, with a vivid consciousness of the conduct, character, and personality of his master; and it is worthy of note that in the opinion of Aristotle the "Socratic discourse" (Σωκρατικὸς λόγος) is a realistic picture thereof (*h*). In this work Plato evinces as much interest in the personality of Socrates as he does in the subject-matter discussed. Socrates is throughout present to him in the spirit, and imparts something of his charm and fascination to the various conversations; he is not used by Plato as a mere convenient mouthpiece for engaging in philosophical argumentation. It is the memory of Socrates the man that is treasured in the heart and soul of the disciple, and the disciple lovingly does all he can to preserve and perpetuate this memory for the light and delight of posterity.

Accordingly, we may safely take the Platonic portrait of Socrates—especially so the recital of events in his life, the depiction of personal characteristics, and the mention of intimate details—as a basis for his biography (*i*), and make use of other sources, such as Xenophon, for adding to it that which is not inconsistent with it.

(ii.) XENOPHON

It has been maintained by certain writers (*k*) that the "Socratic" works of Xenophon, especially the *Memorabilia*, give the most reliable picture of Socrates; and this view is based on the ground that he would not deliberately mislead readers, as he was, admittedly, an honest, religious, methodical man, a soldier and a sportsman, practical, and of simple disposition. On the other hand, others (*l*) have gone to the opposite extreme—perhaps by

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(*h*) Cf. A. E. Taylor, *Plato's Biography of Socrates* (a paper read before the British Academy, 1917), pp. 1–2. As to the testimony generally of Aristotle, see towards the end of this chapter.

(*i*) Cf. J. Burnet, *Greek Philosophy. Part I. Thales to Plato* (London, 1914), chaps. viii. to x.; *The Socratic Doctrine of the Soul. A Lecture* (London, 1916); *Socrates*, in *Encyclopaedia of Religion and Ethics*, ed. J. Hastings (Edinburgh), vol. xi. (1920), pp. 665–672; A. E. Taylor, *Plato's Biography of Socrates* (London, 1917) [reprinted from *Proceedings of the British Academy*, vol. viii.]; Maier, *op. cit.*

(*k*) Cf. Döring, *op. cit.*; E. Pfleiderer, *Sokrates und Plato* (Tübingen, 1896); E. Boutroux, *Etudes d'histoire de la Philosophie* (Paris, 1897), p. 17; Eng. trans. (London, 1912), p. 13; H. von Arnim, *Xenophons Memorabilien und Apologie des Sokrates* (Copenhagen, 1923). The late Professor Jackson, a highly respected English authority, says that Xenophon is an "excellent witness," and that he was to Socrates what Boswell was to Johnson; see the article "Socrates" in *Encyclopaedia Britannica*, 11th ed. (Cambridge, 1911), p. 332. But the latter statement very probably goes too far.

(*l*) Cf. Maier, *op. cit.*; Joël, *op. cit.*, pp. 1–68; P. Wendland, *Anaximenes von Lampsakos* (Berlin, 1905), p. 69; Gomperz, *Greek Thinkers*, vol. ii., pp. 61–64; Burnet, *Greek Philosophy*, pp. 147 *seq.*; L. Robin, "Les Mémorables de Xénophon," in *L'Année Philosophique* (Paris), 21e. année (1910), pp. 1–47. These

way of a reaction against the excessive regard formerly paid to Xenophon's writings: in the "higher criticism" of recent times there has been a growing tendency to minimise the evidentiary value of his contribution, because—to mention reasons that have been confidently put forward—Xenophon was only a young man when he saw Socrates for the last time, he was not a member of the intimate Socratic circle, and he was under the influence of Cynic prejudice (*m*). Moreover, the very qualities for which his testimony was valued were taken by adverse critics as grounds for depreciating it: his comparative simplicity was interpreted as intellectual deficiency which rendered him incapable of understanding Socrates' real message, his practical-mindedness and straightforwardness were deemed tantamount to ignorance and stupidity, so that he could not adequately appreciate the personality and the spirit of Socrates. Accordingly, his competence as a witness was considered to be very slight indeed (*n*).

Memorabilia. There has been much controversy regarding the reliability of the *Memorabilia* generally, and the authenticity of various parts of it more particularly. The work purports to be a compilation of reminiscences of Socrates the man, his mission, and his teaching; but some hostile critics hold that these alleged "reminiscences" (*o*) are not the author's personal reminiscences at all, but partly a collection of borrowings from his own non-Socratic writings, from Plato and others, and partly a collection of notes made as the result of his own excogitation. For these and the above-mentioned reasons, and also owing to the further objection that the work contains some trivial observations and the author at times gives way to commonplace moralising, the hostile critics conclude with the assurance that the *Memorabilia* is worthless as a historical document. But in many of the arguments leading to this conclusion we find much speculation, a good deal of assumption, and sometimes even a begging of the question. Now having regard to the nature and purpose of the present work, we cannot here go into all these matters in detail; all that need be done is to set forth such considerations as will show how far we

writers, among others, by no means agree with each other in their treatment of the various questions relating to the value of Xenophon's work as evidence for the life and teaching of Socrates, but they are all more or less adverse critics.

(*m*) See G. F. Dümmler, *Antisthenica* (Berlin, 1882); *Akademica: Beiträge zur Litteraturgeschichte der sokratischen Schulen* (Giessen, 1889).

(*n*) Already in ancient times the question was discussed whether Plato or Xenophon gave the more accurate account of Socrates; see, for example, Sext. Empir., *Adv. Math.* vii. 8.

(*o*) The work has been handed down under the title Ξενοφῶντος Ἀπομνημονεύματα, that is, Xenophon's Reminiscences, Recollections, or Memoirs.

may properly use Xenophon as an authority to supplement the information about Socrates that we derive from Plato (*p*).

Xenophon was born at Ercheia, a deme of Attica, in or about the year 431 B.C. or 430 B.C. (*q*). (The exact date is not now ascertainable, and it may even have been a little before 431.) It is probable that he first met Socrates and fell under his spell about 415 B.C., when the expedition sailed for Sicily, and Alcibiades was condemned in his absence on the charge of mutilating the Hermae. Diogenes Laertius relates the story of their meeting; the story may be a legend, but it is peculiarly fitting in the circumstances. Diogenes says (*r*):

"Xenophon was modest of mien, and surpassingly fair to look upon. Tradition tells how Socrates met him in a narrow way, and stretching his staff athwart him, so as to bar his passage, plied him with inquiries as to where this or that commodity was to be purchased, to all which questions the boy answered fluently; when the sage at length put to him a final question, 'And where are the fair and noble to be found?' the boy shook his head in perplexity. Then said he, 'Follow me, and be taught.' So he followed him, and thereafter became his hearer."

Xenophon did not become a philosopher, but he became, in accordance with the promise, a καλὸς κἀγαθός (*s*). Now the length

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(*p*) On the whole question of the authenticity and biographical value of Xenophon's writings, see W. W. Baker, "An Apologetic for Xenophon's Memorabilia," in *Classical Journal* (Chicago), vol. xii. (1916–17), pp. 293–309; and the Introductions to the translation of H. G. Dakyns, *The Works of Xenophon*, 4 vols. (London, 1890–97), to which this part of the present chapter is indebted. Cf. also J. Burnet, *Plato's Phaedo* (Oxford, 1911), pp. xiii. *seq.*

(*q*) That is, Xenophon was about sixteen (perhaps eighteen or nineteen), and Socrates fifty-three, whilst Plato was fourteen years of age. It has been thought that from the *Anabasis* of Xenophon we are to conclude that the author was less than thirty in 399 B.C. (cf. C. G. Cobet, *Novae Lectiones quibus continentur Observationes criticae in Scriptores Græcos* (Leyden, 1858), pp. 534 *seq.*); and Burnet observes that "we may confidently infer that Xenophon was younger than Plato" (*Encyclopaedia of Religion and Ethics*, vol. xi., p. 665). The present writer is of opinion, however, that there is not sufficient reliable evidence for assuming such confidence; in any case a difference of a year or two will not substantially affect the question whether Xenophon had opportunities for knowing and learning about Socrates.

(*r*) Trans. by Dakyns, *op. cit.*, vol. i., p. lxxvi.

(*s*) Dakyns refers (*ibid.*) to Raphael's "School of Athens" as a delightful representation of a Socratic group, including the young Xenophon. "In Rafael's *School of Athens*, among the six or seven figures which compose the Socratic group, that of Socrates himself is so truly depicted as to form a companion to the portrait of the philosopher as drawn by Alcibiades in the *Symposium* of Plato. Of the rest, none are more truthful to the imagination than those of Alcibiades and Xenophon. The helmeted mail-clad warrior facing the philosopher with exquisite proud poise, indicative of a graceful self-confidence on the very verge of insolence, is unmistakable; but beside the latter, with back-turned face, hanging on his lips, is a youth with rosy cheeks and auburn hair; he leans on one arm in a brooding attitude; his eyes are set in deep, earnest, religious gaze. That is Xenophon, the future apologist of the life of

of Xenophon's acquaintance with Socrates has been variously estimated by critics. Some assert that it was only some three or four years (*t*). Now in 401 B.C., at the invitation of his friend Proxenus the Boeotian, he left Athens (where equestrian families were regarded with suspicion at the time), and joined Cyrus the younger's expedition directed against Artaxerxes II. of Persia. Xenophon relates (*u*) that he first consulted Socrates as to whether he should accept this invitation, and Socrates referred him to the Delphic oracle. But having already made up his mind to go, he merely asked the oracle to which of the gods he should pray and sacrifice, so that he might safely accomplish his intended journey ; and for this evasion Socrates rebuked him. Professor Burnet (*v*) says, with regard to Xenophon's mention of Socrates here, " that, if there had been much more to tell, we may be pretty sure Xenophon would have told it," and hence concludes that their intercourse did not extend beyond this meeting ; but this is a conclusion based on an unfounded assumption. However this may be, Xenophon was about thirty when he left Athens, and did not see Socrates again. Now Xenophon, though he had not the mind of a Plato, had considerable intellectual attainments—the *Anabasis* and the *Hellenica* reveal a distinct historical capacity—and during the ten or dozen years of his residence in Athens he had ample opportunities of coming into contact with Socrates. We know that the philosopher fascinated young men (*x*) ; we know that Xenophon loved and admired him, It is not therefore unreasonable to believe that, in view of the large mass of recollections of Socrates handed down to us, Xenophon made use of his opportunities to hear and converse with Socrates and his disciples and friends and to learn much about him, even without belonging to the intimate Socratic circle (*y*). The burden of disproving such a natural and reasonable view lies on those who deny it. There

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Socrates, treasuring one of the discussions of the *Memorabilia*." As a great admirer of this beautiful picture I cannot deny myself the pleasure of including this note ; but in regard to the figures depicted see J. A. Crowe and G. B. Cavalcaselle, *Raphael : his Life and Works*, 2 vols. (London, 1885), vol. ii., p. 63, note.

(*t*) Cf. A. Busse, *Sokrates* (1914), p. 9, n. 2 ; Maier, *op. cit.*, p. 6, n. 2 (referred to by Baker, *loc. cit.*). The acquaintance has even been denied altogether ; cf. E. Richter, *Xenophon-Studien*, in *Jahrbücher für Philologie und Pädagogik*, Neue Folge der Supplemente, Bd. 19, Heft 1 (Leipzig, 1892), pp. 124 *seq.* Such denial, in the face of Xenophon's clear and unrefuted statement, does not merit consideration.

(*u*) *Anab.* iii. 1, 5.

(*v*) *Greek Philosophy, loc. cit.*

(*x*) For example, Alcibiades, Glaucon ; cf. Plato, *Symp.* 219 e ; Xen. *Mem.* iii., 6. 1.

(*y*) Cf. Baker, *loc. cit.* p. 295.

is a legal presumption to the effect that, in certain circumstances, " omnia praesumuntur rite esse acta " ; and, ordinarily, the evidence of a witness is accepted until it is disproved by superior compelling evidence, not merely by a challenger's doubt or unfounded assumptions. The same principles are equally applicable in regard to the writings of Xenophon or any other author, and in determining their evidential relevance and appropriateness for biographical purposes.

A further objection of some critics is that Xenophon's " Socratic " writings were probably composed a number of years after he left Athens, probably between 387 and 371 B.C., during his residence at Scyllus, in Elis. By this time, too, some of the writings of Plato and Aeschines were known. Hence the inference is drawn that Xenophon did nothing but copy from them, especially from Plato. With regard to the first point, we may say that it is not unusual for writers of memoirs or of autobiographies to describe events that occurred and people who lived many years before the date of their composition. It is not absurd to suppose that Xenophon had a good memory, and that (without adopting the theory that he used a system of shorthand (*z*)) he, who treasured every word he heard from Socrates, made and preserved notes of his conversations (*a*), which he later " touched up " more or less (*b*). Hence the existence of certain anomalies in the design and composition of the *Memorabilia*, *e.g.*, illogical order in one or two places, incoherent statements and repetitions, which have given rise to various conflicting theories as to the composition of the work (*c*). But it is the height of unreason to conclude that such literary defects necessarily destroy the substantial testimony of the writer. Nor can the work be condemned simply because it does not present a complete picture of Socrates : for furnishing a complete portrait Xenophon would need not only the co-operation of a Plato, but also (if the anachronism be permitted) that of a Shakespeare, a Cervantes, a Dickens, and a Meredith, as well as—may we add—a host of philosophers and psychologists. Xenophon naturally portrayed the characteristics he admired most, and emphasised the doctrines he appreciated best ; but the

(*z*) This theory has been advanced, on the basis of a text in Diog. Laert. ii. 6. 3, by M. Gitlbauer, in *Denkschriften der Akademie der Wissenschaften* (Wien, 1896), II. Abh., p. 17.

(*a*) As Eucleides and Simon the shoemaker are stated to have done: cf. Plato, *Theaet.* 143 a ; Diog. Laert. ii. 13. 2.

(*b*) Cf. Dakyns, *loc. cit.*, p. lxxx.

(*c*) See Dakyns, *op. cit.*, vol. iii., pp. xix. *seq.*, vol. i., pp. lxxix.-lxxx ; A. Croiset, *Histoire de la littérature grecque*, 4 vols. (Paris, 1900), vol. iv., pp. 362 *seq.*

truth of his general outline as he saw it is no more impeachable than the honesty of his purpose.

As to the charge that Xenophon did nothing but copy from existing writings—the inference in this form is unwarranted. It is quite legitimate for a writer to master the available material relative to his own subject, and no doubt Xenophon would read with keen interest any writings of Plato on Socrates. It is equally certain that he borrowed a little ; but the charge of wholesale " lifting " from Plato, supported by alleged analogies which are untenable, cannot be substantiated (*d*). Further, to get information from friends, though it may not be first-hand evidence, is quite admissible for the purpose of writing biographies and histories. It may be allowed that it is not the best evidence ; but to allow this is not to sanction the conclusion that it is untrue.

The *Apology* and the *Symposium* are probably more indebted than the *Memorabilia* is to Plato's corresponding works, which, it may well be, suggested the writing of them ; though in regard to the *Symposium* it has been held by some that it is an independent production, by others that it supplied a basis for Plato's great work, and in regard to the *Apology* there is no absolute certainty that it did not precede Plato's work (*e*). Again, whilst some critics regard the *Apology* as spurious (*f*), others consider it authentic (*g*), and some even maintain that it is an approximately exact report of the real speech as uttered by Socrates before his judges. Neither of these views seems acceptable : probably Xenophon borrowed from Plato, and got information from friends (*h*). The *Symposium* (*i*) is to some extent a supplement to the *Memorabilia*. " The new delineation deepens and confirms the conception of the philosopher which we have derived from the *Memorabilia*,

(*d*) This charge has been satisfactorily refuted by Baker, *loc. cit.*, pp. 302, 303.

(*e*) For differences between Plato's *Apology* and Xenophon's, see P. Vrijlandt, *De Apologia Xenophontea cum Platonica comparata* (Leyden, 1920).

(*f*) For example, E. Zeller, *Socrates and the Socratic Schools*, Eng. trans. by O. J. Reichel (London, 1868), p. 164 ; also by J. J. Hartman, *Analecta Xenophontea* (Leyden, 1887) ; *Analecta Xenophontea Nova* (Leyden, 1889) ; L. Dindorf (the editor of Xenophon's works).

(*g*) For example, Joël, *op. cit.*, vol. i., p. 479 ; Schanz, *op. cit.*, pp. 76 *seq.*, 83 (" Die Xenophontische Apologie ") ; A. Menzel, *Untersuchungen zum Sokrates-Processe*, in *Sitzungsberichte der philosophisch-historischen Classe der Kaiserlichen Akademie der Wissenschaften* (Vienna, 1903), vol. 145, pp. 5 *seq.* ; C. Buresch in *Leipziger Studien*, vol. ix. (1886), p. 21 ; J. Burnet, *Plato's Euthyphro, Apology, and Crito* (Oxford, 1924), p. 65 ; O. Immisch, " Die Apologie des Xenophon," in *Neue Jahrbücher für das Klassische Altertum* (Leipzig), vol. v. (1900), pp. 405–415 ; E. Meyer, *Geschichte des Altertums* (Stuttgart and Berlin), vol. v., Bk. iv. (1921), p. 227. Cf. also R. J. Bonner, *The Legal Setting of Plato's Apology*, in *Classical Philology* (Chicago, 1908), p. 169.

(*h*) See Dakyns, iii., pp. xlv.–xlvii.

(*i*) Vastly different views are held as to its relationship to Plato's *Symposium* ; see Dakyns, *op. cit.*, p. lxix.

etc. It presents a view of Socrates which, in spite of limitations due to the idiosyncrasy of the biographer, we feel to have been honestly arrived at and consequently to be of great historical value" (*k*).

We may now briefly conclude this topic. Xenophon's character was like his style—simple, direct, straightforward, without affectation. He was an honest, methodical, temperate, and religious man, a good-hearted soldier, fond of sport, and a lover of Nature. With such qualities, together with his intellectual ability, he was adequately qualified to give us an account of the greatness and nobility of Socrates, of his truly pious disposition, and of the purity of his teaching. A perfectly finished portrait and a complete biography he does not give us, and he does not claim to do so. Accordingly, his work is candidly apologetic in tone and in the choice of its materials ; but, so far as it goes, it is none the less substantially true, despite certain interpolations and misinterpretations. It differs in many ways from Plato's account (*l*)—inevitably so, considering the writers' different equipment—but the difference does not amount to incompatibility. In Plato the humorous side of Socrates and his poetic imagination come out ; in Xenophon Socrates is sometimes made prosy. In Plato Socrates is a profound thinker and speculator, a rationalist, a man of great spiritual depth whose apparently simple observations contain far-reaching implications ; in Xenophon the sober, practical side of Socrates is emphasised, he appears as a man of action, a prophet, a moralist, and a sound instructor of youth. The Socratic doctrine that political authority is the exclusive prerogative of the highest "philosophic" intelligence is to Plato a profound revolutionary conception, and he depicts the ruler as a philosopher-king in whom true wisdom is united to perfect justice. In Xenophon's *Cyropaedia*, on the contrary, the fit ruler appears to be, as Erasmus observed, more of the nature of "a prudent and skilfully calculating politician" (*m*). Thus Plato shows, whilst Xenophon does not show, why Socrates should have been so much esteemed throughout the ages, and why a new intellectual and spiritual era began with him. From Plato's story, but not from Xenophon's, we find it easy to understand why the Athenians put Socrates to death.

(*k*) Dakyns, iii., p. lviii., and references cited there.

(*l*) Cf. S. Ribbing, *Ueber das Verhältniss zwischen den Xenophontischen und den Platonischen Berichten über die Persöhnlichkeit und die Lehre des Sokrates* (Upsala, 1870).

(*m*) C. Hildenbrand, *Geschichte und System der Rechts- und Staats-philosophie* (Leipzig, 1860), vol. i., p. 249.

(iii.) ARISTOPHANES

We have seen that Plato has been preferred by some, Xenophon by others, as the most reliable authority for the life and work of Socrates ; and even then writers have differed vastly, as we have noted, in regard to the intrinsic importance and relevance for this purpose of the respective works of Plato and Xenophon. To complicate further this controversy, another class of critics, looking with suspicion on what they deem to be idealised and more or less fictitious portraits painted by admiring friends and partisans, insist that the representation of Aristophanes gives us the real Socrates, that it is this portrait which, despite its admitted caricature, would have been readily recognised by the Athenian public at large as the nearest likeness to the notorious philosopher (*n*). It may be that the Athenian masses laughed consumedly at Aristophanes' depiction, without being able to discern how much truth there was in it and how much satirical exaggeration and distortion. It is entirely outside the competence of the masses adequately to understand and appreciate a genius, especially a contemporary one ; they always tend to fasten on certain superficial traits, read far-fetched meanings into them, and then take them as representing the character of the man ; they always tend to fasten on this or that observation of his dragged from its context, to pass it about from one person to another, making it more and more distant from the truth, and believing it—sincerely, indifferently, or maliciously—to be the exact truth. We know that gross misrepresentations of this kind are not uncommon in our age, with all its improved means of communication, agencies of popular instruction, and systematically available sources of information. The fact is that Aristophanes' picture is a comic distortion, deliberately planned as an attack (*o*). The nature of this attack will be discussed more conveniently later on (*p*) ; so that for the present we need say only that the work of the comic poet may furnish valuable evidence regarding the general social, moral, and intellectual conditions of the time, but less valid evidence concerning particular events and contemporary philosophical and scientific movements, and far less valid evidence concerning the personality and thought of Socrates, which

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(*n*) Cf., for example, W. J. M. Starkie, *The Clouds of Aristophanes* (London, 1911), pp. xxx.–xxxii.

(*o*) It is now universally admitted that his attack on Pericles and Cleon was equally unjustifiable.

(*p*) See chap. viii.

he was incapable of understanding, and apparently made no effort to understand. We shall find, then, that for this latter purpose it may justly be used only for corroborating or explaining this or that particular point furnished by other sources; and even then it should be used discriminatingly and with all due circumspection (*q*).

(iv.) ARISTOTLE

Aristotle, too, has been proclaimed a pre-eminent authority on the work of Socrates. Aristotle was well acquainted with the development of Greek philosophy down to his own day; and he was, besides, not only a great original thinker, but an experienced investigator, possessing comprehensive knowledge and endowed with great powers of analysis and logical acumen. It is thought, therefore, that such equipment, combined with the fact that he was further removed from Socrates than Plato and Xenophon, and was unprejudiced by personal relationship, makes him authoritative as regards Socrates' doctrines, as he would have a truer perspective and would be more unbiassed (*r*). It might be thought, however, that absence of personal acquaintanceship and the existence of a considerable interval between the date of a writer and that of the person written about together produce a rather paradoxical canon for historical judgment (*s*). Accordingly, it becomes all the more difficult to admit the suggested device for utilising the statements of Aristotle as a means of adjustment between the reports of Plato and Xenophon (*t*). Perhaps the best way is, not to use Aristotle as an independent witness, but only to utilise him for the purpose of supplementing the essential account as given by Plato together with compatible additions obtained from Xenophon.

(v.) ANTISTHENES. AESCHINES. DIOGENES LAERTIUS

The remaining ancient writers that have been regarded as authorities may be briefly referred to. Antisthenes, the founder

(*q*) Cf. W. Vischer, *Kleine Schriften* (Leipzig, 1877), pp. 459 *seq.*: "Ueber die Benutzung der alten Komödie als geschichtlicher Quelle," where it is held that the old comedy is not a reliable authority for judging individual character and for ascertaining particular facts. Similarly, M. Strübing, *Aristophanes und die historische Kritik* (Leipzig, 1873), shows that Aristophanes is no historical authority whatever, though the tone and plot of his plays may be evidence in regard to general social conditions.

(*r*) Cf. W. Windelband, *History of Ancient Philosophy*, Eng. trans. (London, 1900), p. 124; Joël, *op. cit.*; Gomperz, *op. cit.*, vol. ii., pp. 64, 65. (He makes, however, certain reservations, as has been done in the text above.)

(*s*) It is on this ground that Aristotle's testimony is rejected altogether by Maier, *op. cit.*

(*t*) Cf. Joël, *op. cit.*

of the Cynic school, was older than Plato, and was attracted to Socrates mainly by the strength of his character (*u*). He tells us that Socrates' fame spread abroad, and that many foreign students came to Athens to hear him. He relates, in confirmation of Plato's account in the *Symposium*, how Socrates saved the life of Alcibiades, and surrendered the military award to him, but the incident was placed, probably in error, at the battle of Delium instead of that of Potidaea (*x*). Thus only a very little is to be gleaned from the remains of this philosopher.

Aeschines was, according to Plato (*y*), an associate of Socrates, and was among the number of friends who witnessed his death (*z*); and there is no ground for doubting the trustworthiness of what evidence he has left us in his dialogues *Aspasia*, *Alcibiades*, and *Telauges* (*a*). In the *Aspasia*, Aspasia is represented as the instructress of Socrates in the art of love, and Socrates holds that the " virtue " (ἀρετή) of a woman is the same as that of a man (*b*). In the *Alcibiades* Socrates is made to show Alcibiades how inadequately he is prepared for his ambitious designs, and to declare that, not possessing knowledge himself, he cannot impart any to others. The dialogue, confirming other sources (*c*), shows that Alcibiades was not a disciple of Socrates, though he was subjugated by Socrates' personality (*d*). The *Telauges* represents Socrates as reproving Telauges for his extreme asceticism (*e*). Thus there is much corroborative evidence in Aeschines, though it is not certain that he wrote independently of Plato.

Diogenes Laertius introduces a miscellaneous collection of anecdotes into his Life of Socrates, illustrating for the most part the simplicity of Socrates' mode of living ; he extracts much from Xenophon, but adds little to the earlier available material, so that he is of little use save, perhaps, for an isolated point here and there.

What, then, is our final conclusion on this subject ? We have various different records of Socrates. But different men inevit-

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(*u*) Burnet, *Encyclopaedia of Religion and Ethics*, vol. xi., p. 667.
(*x*) *Ibid.*
(*y*) *Apol.* 33 e.
(*z*) *Phaedo*, 59 b.
(*a*) The claims of Aeschines as a delineator of Socrates were sometimes asserted in antiquity even as against those of Plato; cf. Aristid. *Orat. Plat.* ii., pp. 367, 474. See H. Dittmar, *Aischines von Sphettos* (Berlin, 1912).
(*b*) Cf. the views ascribed to Socrates in Plato's *Republic*.
(*c*) Plato, *Apol.* 33 a ; Xenophon, *Mem.* i. 2. 12 *seq.* ; Isocrates, *Busiris*, 5. Cf. Burnet, *ibid.*
(*d*) Plato, *Symp.* 215 a *seq.*
(*e*) Cf. Plato, *Symp.* 220 a ; Xen. *Mem.* ii. 26. See Dittmar, *Aischines von Sphettos*, pp. 213 *seq.*

ably saw different sides of him ; so that, on the one hand, each of their pictures is by itself inadequate, and, on the other hand, it is possible to regard the picture of each as exaggerated—Plato's for philosophical reasons, Xenophon's for apologetic reasons, Aristophanes' for comic and satirical reasons. But though these portraits are widely different, they are not fatally incompatible (*f*) —due allowance being of course made for the comic licence and buffoonery and hence excessive exaggeration of Aristophanes (whose real contribution, comparatively small, must be carefully crystallised out of his great mass of caricature (*g*)). Thus all the authorities throw light on Socrates, and their combined contributions produce such a composite portrait as makes him "stand out in plastic distinctness" (*h*). But of all these contributions the most important by far are undoubtedly those of Plato (who delineates the *figura animae* as seen by a profound mind) and Xenophon (who depicts the practical side of Socrates as seen by a practical-minded man) ; and these two must be taken as complementary to each other. As Schleiermacher observes :

"The only safe method seems to be to inquire : What may Socrates have been, over and above what Xenophon has described, without however contradicting the traits of character and the principles of life which Xenophon distinctly advances as Socratic ; and what must he have been to have given Plato the inducement and the right to exhibit him as he does in his dialogues ?" (*i*).

(*f*) Several writers hold that the testimonies of Plato, Xenophon, and Aristotle agree on the main issue ; *e.g.*, Grote, *op. cit.* ; E. Zeller, *Socrates and the Socratic Schools*, Eng. trans. (London, 1868) ; A. Fouillée, *La philosophie de Socrate*, 2 vols. (Paris, 1874).

(*g*) See *infra*, chapter viii., where it is shown that, apart from throwing a little light on Socrates, the caricature is very largely a misrepresentation.

(*h*) Windelband, *op. cit.*, p. 124.

(*i*) F. D. E. Schleiermacher, *Ueber den Werth des Sokrates als Philosophen*, in *Sämmtliche Werke* (Berlin, 1834–64), vol. ii. (1838), pp. 287–300, at pp. 297–298. [trans. by C. Thirlwall in G. Wiggers, *Life of Socrates* (London, 1840), pp. cxxx.–clv.] : "Der einige sichere Weg scheint vielmehr der zu sein, dass man frage, Was kann Sokrates noch gewesen sein neben dem, was Xenophon von ihm meldet, ohne jedoch den Charakterzügen und Lebensmaximen zu widersprechen, welche Xenophon bestimmt als sokratisch aufstellt, und was muss er gewesen sein um den Platon Veranlassung und Recht gegeben zu haben ihn so wie er thut in seinen Gesprächen aufzuführen."

We may add that Hegel, too, regards Plato and Xenophon as supplementary to each other, though we cannot accept fully the nature of his discrimination between them. In his *Vorlesungen über die Geschichte der Philosophie* (Berlin, 1832), vol. ii., p. 69 (2nd ed. 1840), he says: ". . . If we inquire whether he [Xenophon] or Plato depicts Socrates to us most faithfully in his personality and doctrine, there is no question that in regard to the personality and method, the externals of his teaching, we may certainly receive from Plato as satisfactory, and perhaps a more complete, representation of what Socrates was. But in regard to the content of his teaching, and the point reached by him in the development of thought, we have in the main to look to Xenophon. (*Lectures on the History of Philosophy*, trans. by E. S. Haldane, 3 vols. (London, 1892), vol. i., p. 414.)

CHAPTER III

MAIN EVENTS IN THE LIFE OF SOCRATES

. . . Οὐ τὸ ξῆν περὶ πλείστου ποιητέον, ἀλλὰ τὸ εὖ ξῆν.
(*Crito*, 48 b.)

(It is not life, but a good life, that is to be considered most important.)

Ποίει ἃ κρίνεις εἶναι καλά, κἂν ποιῶν μέλλῃς ἀδοξεῖν · φαῦλος γὰρ κριτὴς παντὸς καλοῦ πράγματος ὄχλος.
(Pythagoras).

(Do what you believe to be right, though it be at the sacrifice of your reputation, for the mob is a bad judge of noble conduct.)

OF the life of Socrates comparatively little is known, especially of its earlier part; for when he clearly appears before us he is already a fully developed individuality, physically and mentally. So the course of his development remains unknown to us, and what little is supposed to be known is subject to doubt and uncertainty. Yet his emergence was no sudden phenomenon; he was a product of his age, as every outstanding personality is. As Hegel says: "Socrates did not grow like a mushroom out of the earth, for he stands in distinct continuity with his time" (*a*). We have already seen some of the salient features of the age in which he lived; we have noted that Athens at that time was in a state of flux, and that Socrates was in many ways a link between the old Athens and the new.

According to chronological calculations based on statements in Plato's *Apology* (*b*) and *Crito* (*c*), Socrates was born at Athens between the years 471 and 469 B.C.; probably the year 470 is as accurate as can be determined (*d*). We gather from Plato that he came of a well-to-do family of good social standing, which appears to have traced its descent to Daedalus (*e*); hence it has been customarily implied that his father, Sophroniscus, and forebears

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(*a*) *Werke* (Berlin, 1832, etc.), vol. xiv., p. 42: "Sokrates ist aber nicht wie ein Pilz aus der Erde gewachsen, sondern er steht in der bestimmten Kontinuität mit seiner Zeit."

(*b*) *Apol.* 17 d. This definitively refutes the statement of Diog. Laert. (ii. 45) that he was born ten years later.

(*c*) *Crito*, 52 e.

(*d*) Demetrius Phalereus and Apollodorus state that he was born in the fourth year of the 77th Olympiad (468 B.C.). Cf. F. Jacoby, *Apollodors Chronik* (*Philologische Untersuchungen*, Heft xvi.) (Berlin, 1902), pp. 284–289; Burnet in *Encyclopaedia of Religion and Ethics*, vol. xi., p. 665.

(*e*) *Euthyphro*, 11 c, 15 b.

generally were statuaries. This implication, however, is doubtful (*f*): for Daedalus is not only associated by ancient tradition with the earliest schools of sculptors in marble, but is also reputed to have been an architect, a worker in metals, and a maker of wooden images. Sophroniscus is well spoken of; Lysimachus, the son of the great Aristides, in *Laches* (*g*) refers to him as "a most excellent man," whose friend and companion he had long been without any difference ever arising between them. Aristides belonged to the same deme (or parish) of Alopece as Sophroniscus, and so did the wealthy Crito (*h*), who remained deeply attached to Socrates till the latter's death (*i*). It seems clear, then, that Sophroniscus was a man of good position in his deme. The mother of Socrates was Phaenarete, a woman of probably an aristocratic class (as her name seems to indicate), and is stated to have practised the profession of a midwife (μαῖα) (*k*): to exercise such functions was not considered derogatory to good social status. Plato makes Socrates describe her as "brave and burly" (*l*).

In his early life Socrates is said to have followed the alleged craft of his father (*m*), namely, that of a sculptor or stone-cutter; and there is a story that visitors to Athens were shown certain figures of the Graces standing at the entrance to the Acropolis, as a work executed by the young Socrates (*n*). But the evidence is unreliable (*o*); so that whether he practised or learnt this craft remains doubtful. Xenophon tells us of certain advice given by Socrates to the sculptor Clito (*p*); and had Socrates ever been a sculptor himself, Xenophon would undoubtedly have known and would certainly have mentioned the fact, especially on such an appropriate occasion.

We may reasonably believe that Socrates received the usual education in the prevailing curricula of gymnastics and music (*q*). Of geometry and astronomy he seems to have acquired an advanced

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(*f*) Cf. Burnet, p. 668.
(*g*) *Laches*, 181 a.
(*h*) *Apol.* 33 d.
(*i*) Plato, *Crito*.
(*k*) *Theaet.* 149 a.
(*l*) *Ibid.*
(*m*) So related by Timon of Phlius, who flourished about 279 B.C.
(*n*) Pausan. ix. 35; i. 22; Diog. Laert. ii. 19. Cf. P. Schuster, *Uber die erhaltenen Porträts den griechischen Philosophen* (Leipzig, 1876).
(*o*) Cf. J. G. Frazer, *Pausanias's Description of Greece* (London, 1898), vol. ii., pp. 268–272.
(*p*) *Mem.* iii. 10. 6.
(*q*) Cf. Plato, *Crito*, 50 d, from which we may infer that he received such education. As to education in Greece, see Whibley, *Companion to Greek Studies*, pp. 597 *seq.*

knowledge ; though we are told that later in life he recommended the acquisition of these subjects only for the practical purposes of life : geometry, to enable us, for example, to buy, sell, or partition our land ; astronomy, to enable us to discover the hour of the night and the seasons, to guide us on our voyages and travels, and to regulate the watch. But the advanced study of these subjects he discountenanced, on the ground that they would take up too much time and hinder us from applying ourselves to other more useful studies (*r*). It is unlikely, however, that in his earlier life he was given to such discrimination, or that he was imbued with such a spirit of strict utilitarianism (though later on the idea of the useful had a profound significance for him) ; it is more likely that he was animated by a spirit of curiosity, after the fashion of ardent inquirers of the time. In the streets and public places of Athens he could observe and listen to distinguished philosophers and scientists, and compare the various conflicting doctrines advanced, and he would thus be stimulated to think out problems for himself.

His desire for knowledge grew. He studied the doctrines of the earlier philosophers, of Heraclitus, Anaximenes, and Anaxagoras (*s*), who still exercised an influence on contemporary thought. It is said that his definite speculative interest was aroused by Archelaus (*t*), a philosopher of the Ionian school, who flourished about 450 B.C. Euripides, as well as Socrates, is stated to have been his pupil. But such discipleship on the part of Socrates is not mentioned by Plato or Xenophon or Aristotle. It is worthy of note, however, that long before Plato began writing, Ion of Chios, the tragic poet, recorded among his memoirs that Socrates in his youth visited Samos in the company of Archelaus (*u*). This is apparently the earliest extant reference to Socrates, and is quoted by Diogenes Laertius (*v*). Some critics have considered it an allusion to another Socrates, but there is no sufficient reason for contradicting Diogenes' ascription (*x*). It has been argued (*y*) with much plausibility, first, that Socrates' visit must have been

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(*r*) Xen. *Mem.* iv. 7. 3, 5. Cf. Plato, *Meno*, 82 *seq.*

(*s*) Cf. E. Schaubach, *Anaxagoras-Fragmenta* (1827), pp. 23, 27.

(*t*) Ion of Chios, frag. 9, in Müller, *Fragmenta Histor. Graecorum ;* Diog. Laert. ii. 18, 23 ; i. 14 ; Cic. *Tusc. Disp.* v. 4 ; Sext. Empir., *Adv. Math.* x. 360. See C. F. Hermann, *De Socratis magistris et disciplina juvenili* (Marburg, 1837).

(*u*) Cf. *Fragmenta Historicorum Graecorum*, ed. C. Müller (Paris, 1848), vol. ii., p. 49 : Ἴων δὲ ὁ Χῖος καὶ νέον ὄντα εἰς Σάμον σὺν Ἀρχελάῳ ἀποδημῆσαι φησίν.

(*v*) In his Life of Socrates, ii. 5, 7.

(*x*) See U. von Wilamowitz-Moellendorff, *Platon*, 2 vols. (Berlin, 1919), vol. i., p. 96, who now withdraws his former denial.

(*y*) Burnet in *Encyclopaedia of Religion and Ethics*, vol. xi., p. 665.

on the occasion of the Samian War—since Plato makes him say he left Athens only once, namely, for the Isthmus, with a non-military object (*z*); and, secondly, that Socrates must have made the acquaintance of Archelaus and become his disciple some ten years earlier, about 450 B.C. Archelaus was the disciple and successor of Anaxagoras of Clazomenae (Ionia) (*c.* 500–428 B.C.), who, devoting himself to inquiry into problems of human life as well as physical questions, emphasised the idea of end or purpose in the scheme of things, and the governing force of mind or intelligence, and laid the foundation of Attic philosophy. In view of the charges relating to physical speculation that were later to be brought against Socrates, it is necessary to point out here that Anaxagoras considered the moon to be earth, and the sun a glowing mass of stone (μύδρος διάπυρος) (*a*). Thus Socrates in early manhood was interested in Ionian natural science (*b*), as well as in the contemporary Pythagoreanism and Orphicism (*c*).

There is a noteworthy passage in the *Phaedo* (*d*) in which Socrates is made to give an account of his early interest in these things, of his keen intellectual curiosity, and of his dissatisfaction with the prevailing doctrines that purported to answer his questions. That this passage is meant by Plato to be historical is supported by the fact that the questions indicated as occupying Socrates thoughts at that time are just those which, as independent records show, attracted the attention of thinkers at Athens in the middle of the fifth century (that is, when Socrates was a young man), and at no other time or place (*e*). Philosophy, as Plato says (*f*), begins in wonder; and Socrates in his early manhood wondered what the causes of everything were:—why a thing came into being, why it ceased to be, and why it existed at all; whether life arose from the fermentation of heat and cold (the doctrine of Archelaus); whether that by which we think is the blood (a doctrine

(*z*) *Crito*, 52 b.

(*a*) Diog. Laert. ii. 12. See *infra*, chap. xv., sec. i.

(*b*) *Phaedo*, 96 a *seq.*

(*c*) Cf. Taylor, *Plato's Biography of Socrates*, pp. 23, 24. See further *infra*, chap. xiv., in regard to the charges made against Socrates.

(*d*) 96 a *seq.*

(*e*) Burnet, *Greek Philosophy*, p. 132. In the *Encyclopaedia of Religion and Ethics*, vol. xi., p. 668, in a detailed argument to which the reader is referred, Professor Burnet maintains—justifiably, as the present writer thinks—that this autobiographical sketch was deemed by Plato to be substantially true. "It seems unthinkable that Plato should have invented a purely fictitious account of his revered master's intellectual development, and inserted it in an account of his last hours on earth. . . . The view that Plato is describing his own intellectual development in this passage is ludicrous. These questions [those mentioned here in the text above] were no longer of any interest even in his youth."

(*f*) *Theaet.* 155 d.

of Empedocles), or the air (a doctrine of Diogenes of Apollonia), or rather whether it is the brain that is the organ whereby we experience sensations—hearing, seeing, smelling—and if so, whether sensations produce memory and opinion (belief), and whether memory and opinion then give rise to knowledge (questions raised by Alcmaeon); whether the earth is flat (as the Ionian school held), or round (as the Pythagoreans taught). He adds that he was interested in the various phenomena of the heaven and the earth, the relative speeds, revolutions, and changes of the sun, moon, and stars, and so on. The prevailing theories, advanced as explanations of all these problems, did not satisfy him, for they rested on a mechanical or mechanistic basis; and he was anxious to know what was the governing principle underlying all these processes and phenomena. Then in a book of Anaxagoras (περὶ φύσεως) he came across the view that it is mind (νοῦς)—namely, the Divine mind or reason—that orders and is the cause of all things. He wondered whether this theory would explain the various questions asked by him—the cause of the existence, action, interaction, and changes of things; whether everything is as it is because it is fittest that it should be so (that is, the final cause); what is fittest and best for everything, and what is the common good of all. He seized the book immediately and read it eagerly, but his high hopes were dashed to the ground; for the writer made no use of mind or reason at all as a cause, but, like the others, assigned as causes air and ether and water, and the like (that is to say, mechanical causes) (*g*).

Socrates, therefore, turned away from these physical and cosmological speculations, as well as from most of the exotic conceptions of Orphicism and Pythagoreanism which had interested him for a time (*h*); and it was the ethical side of life—the fundamental principles of universal morality—that gradually became his predominant concern. He early appreciated the great importance of intellectual intercourse as an aid and stimulus to thought. He eagerly sought the society of all who were reputed to be eminent for their culture, learning, or philosophical powers; he soon came

(*g*) Cf. Plato, *Laws*, xii. 967 b; Aristot. *Metaph.* i. 4.

(*h*) We do not know at what date he abandoned these studies; but everything points to his having done so in early life. We cannot accept the view that he was still occupied with them in 423 B.C., when he was brought on the stage in Aristophanes' *Clouds*. From the fact that Socrates was satirised and misrepresented in 423 we cannot necessarily infer that he held at that date doctrines that were travestied by the comedian and carelessly attributed to him. Cf. A. Chiappelli, *Il naturalismo di Socrate e le prime Nubi d'Aristofane* (Roma, 1886). See *infra*, chap. viii.

into contact with the leading Sophists of the time; and a little later in life he was on intimate terms with such distinguished personages as Aspasia (*i*), and Euripides (*k*). Mindful of the advantages he derived from intercourse with such distinguished men and women, he used to say—half playfully perhaps—that he was a disciple of Prodicus (*l*) and Connus (*m*), of Aspasia (*n*) and Diotima (*o*).

His relations with the Sophists (*p*) had as great an influence on Socrates in one way as his former metaphysical and scientific experiences had had in another way. The latter had the effect of changing his interests to a large extent in regard to the subject-matter of his inquiry; the former confirmed his already emergent demand for a new method of inquiry. Protagoras, often regarded as the first of the Sophists (that is, "Sophist" in the sense of giving instruction for fees), expounded a kind of "pragmatic" philosophy, his leading principle being "Man is the measure of all things" (πάντων χρημάτων μέτρον ἄνθρωπος); that is, things are to each man what they seem to him to be, so that all truth is relative. He came from Abdera, and was so highly esteemed by Pericles that he was entrusted with the important task of making laws for the new colony of Thurii (in South Italy), which was founded in 444–443 B.C. (*q*). During his visit to Athens on this occasion he met Socrates, who was then about twenty-five years of age (Protagoras being about twelve years older). Protagoras had no doubt made the acquaintance of Socrates before this date, and had already formed a definite opinion of his worth. Plato makes him express himself thus (*r*): "As I have often said, I admire you above all men whom I know, and far above all men of your age." Whether this observation is historical or not, Plato intended thereby to inform us that Socrates was already at an early age appreciated by some of the most eminent men of the time. Socrates also came into close contact with Prodicus of

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(*i*) Xen. *Mem.* ii. 6. 36; *Oecon.* 3, 14. Cf. Plato (?), *Menex.* 236 a *seq.* Though the majority of writers have regarded the *Menexenus* as non-Platonic, this view is by no means quite conclusive. Able defenders of its Platonic authorship are not wanting, and among the most recent is U. von Wilamowitz-Moellendorff, *Platon*, 2 vols. (Berlin, 1919), vol. ii., pp. 126 *seq.*

(*k*) Cf. Diog. Laert. ii. 18; Aelian. *Var. Hist.* ii. 13.

(*l*) *Meno*, 96 e; *Cratyl.* 384 a.

(*m*) *Euthyd.* 272 c; *Menex.* 235 e.

(*n*) *Menex.* 235 d.

(*o*) *Symp.* 201 d.

(*p*) See *infra*, chap. xvi., sect. i. See also *supra*, p. 4.

(*q*) Plut., *Pericles*, 36.

(*r*) *Protag.* 361 e.

Ceos and Hippias of Elis. Prodicus (*s*), unlike Protagoras, specialised in his curriculum on ethics, and expounded "virtue" or "excellence"; but his point of view was pessimistic. He gave courses of lectures also on the precise use of words, and Socrates is made to say that he attended one of his cheaper courses (*t*). Hippias boasted of his great versatility, and lectured on many subjects, such as music, astronomy, arithmetic, geometry; his aim, however, was not so much to impart knowledge as to train his pupils in the "eristic" art, that is, the method of argument or disputation (*u*). Thus he forms a connecting-link between the first great Sophists, who were concerned with culture and civic excellence, and the large class of succeeding Sophists who taught the art of disputation which assumed more and more debased forms, and so brought the name of the whole class into disrepute. In some of Plato's dialogues Socrates calls himself a pupil of Prodicus; but it is more in jest than in earnest (*x*). Gorgias, a native of Leontini (in Sicily), did not appear in Athens during the early manhood of Socrates; the two met about 427 B.C., when Gorgias came to Athens as ambassador from his city; Socrates was then about forty, and had long since consecrated himself to his "mission." Gorgias having settled in Athens, taught rhetoric and practised oratory; he described himself as a "rhetor" (*y*), and did not claim to teach "civic excellence" (*z*). His philosophy was nihilistic, and was based on these three principles: nothing exists; if anything did exist, it could not be known; if anything did exist and was knowable, the knowledge of it could not be communicated to others. Thrasymachus (*a*) of Chalcedon, who held that right was the personal interest of those who have might, which enables them to impose their will upon the weaker,

(*s*) *Protag.* 314 c, 315 d *seq.*, 337 a–c, 339 e–340 d, 341 a–d, 358 a–e; *Meno*, 96 d; *Charm.* 163 d; *Laches*, 197 d. etc. Plato's illustrations given in the *Protagoras* of the method of Prodicus probably have something of the parody in them.

(*t*) *Crat.* 384 b. We can well believe that it was one of the cheaper courses—and it must have been a very short course too; for some of the Sophists, such as Protagoras and Gorgias, charged as much as 100 minae (a mina = 100 drachmae = £4 1*s.* 3*d.*), that is, over £400, for a complete course of lectures; but later Sophists accepted much smaller sums, varying from one to fifty drachmæ per lecture. See A. Boeckh, *Public Economy of Athens*, Eng. trans. (London, 1842), pp. 121, 122.

(*u*) The dialogues *Hippias Major* and *Hippias Minor*, whether they are Plato's authentic work or not, set forth, no doubt with some exaggeration, the method of this prominent Sophist, and are written by one who knew the man well and the class he represented. See also *Protag.* 318.

(*x*) *Protag.* 341 a; cf. *Charm.* 163 d; *Meno*, 96 d; *Crat.* 384 b. See *supra*, p. 41.

(*y*) Plato, *Gorgias*, 449 a.

(*z*) Plato, *Meno*, 95 c.

(*a*) *Phaedr.* 261 c, 267 e, 269 e, 271 a; *Repub.* i. 328 b, 336 b, 338 c *seq.*

Polus (*b*) of Agrigentum, who likewise taught rhetoric, and the brothers Euthydemus and Dionysodorus (*c*) of Chios, the dialectical jugglers who were prepared to refute any argument however true or false it might be, were also personally known to Socrates.

We may be sure that Socrates soon perceived that the Sophistic movement, which was largely due to the philosophical scepticism begotten of the earlier physical science with all its contradictions and vagaries, was itself subjective, sceptical and nihilistic in tendency, and therefore rendered impossible the vital distinction between truth and falsehood, between right and wrong, between good and evil. He saw that the contemporary sophistry, aiming at mere victory in debate rather than at the discovery of truth, had a pernicious effect on the conduct and ideals of people ; that it fostered self-conceit, presumption, and arrogance in those who were ignorant or were possessed only of the barest smatterings of knowledge ; that it was not the way by which true knowledge was to be acquired, and not the way by which individual and civic virtue or excellence was to be promoted. Socrates realised that a new methodology was essential for the right pursuit of knowledge, that a new principle was needed for the determination of individual virtue. Whether he was, in his adoption of the dialectical method (*d*), inspired by Zeno, we cannot say ; but we do know that he came to use this new instrument so persistently and drastically that it contributed to bring about his death, but also to bring about such a regeneration of philosophy and ethics as to prepare the way for a moral and spiritual renaissance (*e*).

Socrates' fame grew apace. We saw that already as a young man he had attracted the notice of eminent men. His band of friends and associates increased, and his renown was spread abroad (*f*). Ardent admirers sought his advice regarding their studies and avocations, and many came to regard him as the coming master who would achieve intellectual supremacy among his countrymen. One of these enthusiasts, Chaerephon, actually proceeded to Delphi in order to ask the oracle whether there was any one wiser than Socrates, and the priestess answered that there was no one wiser (*g*). This answer had a profound significance

(*b*) *Gorgias*, 448, 461 b *seq.*–481 ; *Phaedr.* 267 b.
(*c*) Plato, *Euthyd.* ; see *infra*, p. 133, as to abuse of dialectic.
(*d*) See *infra*, chap. vi.
(*e*) See *infra*, chap. xxi.
(*f*) See *infra*, pp. 53 *seq.*
(*g*) Plato, *Apol.* 21 a. We may recall that, whilst Socrates was marked out by the Delphic oracle for his wisdom (*σοφία*), Myson of old, one of the seven wise men, was said to have been pronounced by the Delphic oracle as of all men the

for Socrates, and it was a happy external stimulus for him in the prosecution of his career. Internal promptings he had no doubt already felt—and his "Divine voice" (*h*) played a great part throughout the whole of his life—but to this spontaneous impulse was added the strange and seemingly ambiguous communication, which induced him to engage in the cross-examination of those who were reputed wise, or of those who boasted of their knowledge. This event very probably took place before the outbreak of the Peloponnesian War (431 B.C.), for Socrates took part in the expedition to Potidaea (433–432 B.C.), and is represented as continuing his mission after his return (*i*). It appears, therefore, that the Delphic incident occurred when Socrates was about thirty-five (*k*)—that is in the middle of his life—"nel mezzo del cammin di nostra vita"—at the same age as Dante was when he set out on his visionary journey amidst forces of destruction.

As regards the discernment and motive of the Delphic priesthood in thus singling out Socrates for its special approval, Professor Bury aptly observes (*l*):

"And this thinker, whose talk was shaking the Greek world in its foundations, though none guessed it, was singled out by the Delphic priesthood for a distinguished mark of approbation. In the truest oracle that was ever uttered from the Pythian tripod, it was declared that no one in the world was wiser than Socrates. We know not at what period of the philosopher's career this answer was given, but, if it was seriously meant, it showed a strange insight which we should hardly have looked for at the shrine of Delphi. The Delphic priesthood were skilful enough in adjusting their policy to the changing course of events; but they cannot be suspected of brooding over the mysteries of things to come, or feeling the deeper pulsations of the thoughts of men. The motive of the oracle concerning the wisdom of Socrates is an unsolved problem. If it were an attempt to enlist his support, in days when religion was threatened by such men as Anaxagoras, it shows an unexpected perception of his importance, united with a by no means surprising blindness to the significance of his work."

At all events, the oracular answer was interpreted by Socrates

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most temperate or moderate (*σώφρων*). (Cf. Diog. Laert. i. 107.) Socrates later came to identify *σοφία* with *σωφροσύνη*. (Cf. Plato, *Charmides*.)

(*h*) As to Socrates' *daemonium*, see *infra*, pp. 88 *seq.*

(*i*) *Charm.* 153 a.

(*k*) I follow the calculation of Burnet, *Greek Philosophy*, p. 136.

(*l*) J. B. Bury, *History of Greece* (London, 1922), p. 580.

as a call on him, on behalf of his country (*m*), a call that he could not but obey, despite his doubts and misgivings as to his worthiness for such election. "There was an anguish of distressing perplexity," remarks Dean Stanley (*n*), "like that which is described at the like crisis in the call of some of the greatest of the Jewish prophets—Isaiah (*o*), Jeremiah (*p*), and Ezekiel" (*q*).

Thus Socrates entered definitively and in good earnest on what he conceived to be his divinely appointed mission—the search for wisdom (σοφία), together with the incidental exposure of such as falsely claimed to possess it or were deemed to possess it. In the following terms he is made to describe before his judges this life's occupation of his, by way of explaining how it engendered hatred and calumnies against him and contributed eventually to his indictment (*r*):

"When I heard the answer [of the Delphic oracle] I said to myself, 'What can the god mean? and what is the interpretation of his riddle? for I know that I have no wisdom, small or great. What then can he mean when he says that I am the wisest of men? And yet he is a god, and cannot lie; that would be against his nature.' After long consideration, I thought of a method of trying the question. I reflected that if I could only find a man wiser than myself, then I might go to the god with a refutation in my hand. I should say to him, 'Here is a man who is wiser than I am; but you said that I was the wisest.' Accordingly I went to one who had the reputation of wisdom, and observed him—his name I need not mention, he was a politician whom I selected for examination—and the result was as follows: When I began to talk with him, I could not help thinking that he was not really wise, although he was thought wise by many, and still wiser by himself; and thereupon I tried to explain to him that he thought himself wise, but was not really wise; and the consequence was that he hated me, and his enmity was shared by several who were present and heard me. So I left him, saying to myself, as I went away: 'Well, although I do not suppose that either of us knows anything really beautiful and good, I am better off than he is—for he knows nothing, and thinks that he knows; I neither know

(*m*) Cf. Plato, *Apol.* 30 a; *Gorg.* 521 d.
(*n*) A. P. Stanley, *Lectures on the History of the Jewish Church*, Third Series (London, 1877), "Socrates," lect. xlvi., pp. 195–231, at p. 204.
(*o*) *Isa.* vi. 3–8.
(*p*) *Jer.* i. 6–9.
(*q*) *Ezek.* ii. 9; iii. 3.
(*r*) *Apol.* 21 b *seq.*, Jowett's trans.

nor think that I know. In this latter particular, then, I seem to have slightly the advantage of him.' Then I went to another who had still higher pretensions to wisdom, and my conclusion was exactly the same. Whereupon I made another enemy of him, and of many others beside him.

"Then I went to one man after another, being not unconscious of the enmity which I provoked, and I lamented and feared this: but necessity was laid upon me,—the word of God, I thought, ought to be considered first. And I said to myself, 'Go I must to all who appear to know, and find out the meaning of the oracle.' And I swear to you, Athenians, by the dog I swear! —for I must tell you the truth—the result of my mission was just this: I found that the men most in repute were all but the most foolish; and that others less esteemed were really wiser and better. I will tell you the tale of my wanderings and of the 'Herculean' labours, as I may call them, which I endured only to find at last the oracle irrefutable. After the politicians, I went to the poets, tragic, dithyrambic, and all sorts. And then, I said to myself, 'You will be instantly detected; now you will find out that you are more ignorant than they are.' Accordingly, I took them some of the most elaborate passages in their own writings, and asked what was the meaning of them—thinking that they would teach me something. Will you believe me? I am almost ashamed to confess the truth, but I must say that there is hardly a person present who would not have talked better about their poetry than they did themselves. Then I knew that not by wisdom (σοφία) do poets write poetry, but by a sort of genius and inspiration (*s*); they are like diviners or soothsayers who also say many fine things, but do not understand the meaning of them. The poets appeared to me to be much in the same case; and I further observed that upon the strength of their poetry they believed themselves to be the wisest of men in other things in which they were not wise. So I departed, conceiving myself to be superior to them for the same reason that I was superior to the politicians.

"At last I went to the artisans, for I was conscious that I knew nothing at all, as I may say, and I was sure that they knew many fine things; and here I was not mistaken, for they did know many things of which I was ignorant, and in this they certainly were wiser than I was. But I observed that even the good artisans fell

(*s*) That is, in the sense of a natural gift (φύσις), as distinguished from reasoned wisdom.

into the same error as the poets ;—because they were good workmen they thought that they also knew all sorts of high matters, and this defect in them overshadowed their wisdom ; and therefore I asked myself on behalf of the oracle, whether I would like to be as I was, neither having their knowledge nor their ignorance, or like them in both ; and I made answer to myself and to the oracle that I was better off as I was.

" . . . And so I go about obedient to the god, and search and make inquiry into the wisdom of any one, whether citizen or stranger, who appears to be wise ; and if he is not wise, then in vindication of the oracle I show him that he is not wise ; and my occupation quite absorbs me, and I have no time to give either to any public matter of interest or to any concern of my own, but I am in utter poverty by reason of my devotion to the god."

Socrates' account of the intervention of the oracle may be confidently taken as substantially accurate, and it exhibits his characteristic attitude—a mingling of humour or " irony " (εἰρωνεία) with seriousness (*t*). His irony is revealed in his proceeding at once in his inquisition ostensibly to disprove the declaration of the god. His seriousness is shown by the fact that he gives the rest of his life to his task in the belief that oracles as well as dreams, his intimate daemonium (*u*), and mysterious " voices " and other such manifestations may be the instrumentalities used by a supreme Being for intimating his will to mortals. And so unbending he goes on his quest, neglecting other daily concerns, paying little regard to the means of livelihood, sinking into poverty, but exalted by his vision, and conscious of his service to God, as well as to his country ; and at the post assigned to him he must remain with all courage and steadfastness ; whatever he may be doubtful about, he is quite certain that desertion is a wrong and an evil (*x*). He comes to think of himself as the fellow-servant of Apollo's swans, as the consecrated minister of the same god (*y*). All this to Plato's mind was Socrates' sincere and zealous conviction and conception of his duty, and Plato's testimony here is certainly indefeasible.

" From this strange tale," observes Professor Campbell, " we may gather so much with confidence—that he regarded himself

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(*t*) See chap. iv., " Characteristics of Socrates."
(*u*) See the next chapter.
(*x*) Cf. *Apol.* 28 b, c ; 30 a–b ; *Gorgias*, 521
(*y*) *Phaedo*, 84 e–85 c.

as the devoted servant of Apollo, the enlightener of men, the lord of music, but of a higher and grander music than Terpander or Stesichorus had conceived—the harmony of human life, the melodious concord of thought and action " (*z*).

And so he consecrated his life to the service of others, without taking or expecting any material reward. He might truly and fittingly have said : " Silver and gold have I none, but such as I have give I unto thee."

In the pursuit of his mission, in the application of his dialectic method, in his tireless cross-examination, we see his earnest and disinterested search for truth, his dissatisfaction with unexamined opinion and unreasonable tradition, his invincible belief in virtue and knowledge, his ardent zeal for stirring up the desire in others to seek real knowledge and virtue, his insistence on the need of a life of thought, reason, and judgment—instead of a life of mere opinion, desire, and impulse—for the attainment of social and individual well-being. And we see therewithal his attitude of a tentative inquirer rather than that of a positive teacher, making no attempt to force upon any one whatever particular convictions he may have had, assuming now a manner of mock-solemnity, now a tone of raillery, sometimes showing the naïveté of a child, at other times the questioning spirit of the most penetrating intellect, ever encouraging by his never-failing fund of humour, often disconcerting a recalcitrant collocutor or set opponent by his characteristic irony, and always patient, forbearing, good-humoured, and courteous (*a*). His pervading sense of humour made him regard with a tolerant and gentle eye the errors and foibles of his fellow-creatures, the inconsistencies of their conduct, and the incongruities of their nature. He was aware of similar weaknesses in himself and preserved throughout a humble spirit ; so that he was exempt on the one hand from pharisaism and sanctimoniousness, and on the other from sentimentality or cynicism. His " accustomed irony " (which will be considered in connection with the Socratic dialectic method) was ascribed to him by his conversational opponents ; it implied a non-committal attitude on his part, a seeming affectation of ignorance, together with a sly pretence that his opponent had knowledge to impart (*b*).

Thus he carried on his crusade against ignorance and cant,

(*z*) L. Campbell, *Religion in Greek Literature* (London, 1898), p. 323.
(*a*) See further *infra*, chap. iv., pp. 73–74.
(*b*) See *infra*, chap. vi., *in fin.*

against pretension and conceit, against the superficial and the spurious. By deterring his associates from pretentiousness and ostentation, says Xenophon, he excited them to the pursuit of virtue (*c*). Socrates was wont to say that anyone appointed to work a vessel or lead an army without the necessary knowledge would soon destroy many people whom he least desired to hurt, and would himself meet with disaster and disgrace (*d*); that of all imposters he was undoubtedly the greatest who could deceive people into thinking that he was fit to lead the State, whereas he was really a worthless creature (*e*). By various instances would he show how unprofitable it was for a man to try to appear rich or courageous, or strong, without actually being so (*f*).

Socrates avoided public life (*g*) and other public distractions, and devoted himself exclusively to his vocation—a vocation unprecedented and unparalleled. In pursuance thereof he sought conversation everywhere within the city—for he scarcely ever went outside it (*h*)—in the streets (*i*), public promenades, and in the market-place (*k*), in the schools and in the theatre, in the workshops, in the barbers' shops and at the tables of the money-changers, in the terraces and colonnades of the gymnasia (*l*), in

(*c*) *Mem.* i. 7, 1.
(*d*) *Mem.* i. 7, 3.
(*e*) *Mem.* i. 7, 5.
(*f*) *Mem.* i. 7, 4.
(*g*) See *infra*, Chapter XVI., *in fin.*
(*h*) Plato, *Crito*, 52 b; *Phaedrus*, 230 d.
(*i*) The delightful climate of Athens (which was probably more agreeable then than it is now) rendered possible an outdoor sociable life; the Athenian theatre and house of assembly were roofless. Cf. Eurip. *Medea*, 824–845, where the Chorus in beautiful strains sings the charms and amenities of the favoured city: "Happy from old are Erechtheus' sons, children they of the blessed gods; for they plucked the far-famed fruit of wisdom from her hallowed and unravaged plains, as their feet trod daintily under her bright ethereal sky. There of old, they tell us, did gold-tressed Harmonia give birth to the nine Muses who haunt Pieria, and the queen of love, drinking deep draughts from fair-flowing Cephisus' streams, breathed over the land mild sweetly-blowing breezes; while ever in her hair she twines the fragrant wreath of roses, and sends the loves to sit by wisdom's side, her helpers in all excellence." (Slightly modified from the passage translated by J. Marshall, *Xenophon, Memorabilia* (Oxford, 1890), pp. vii.–viii.)
(*k*) The agora was not merely a market-place in our sense of the term; it was a large district, including streets shaded by plane trees, temples, baths and other public buildings, altars and statues, as well as numerous shops, some of which, such as the café-clubs (λέσχαι), were used as lounges by customers and promenaders. The barbers' shops (κουρεῖα) were often designated "wineless symposia." Not to resort to these meeting-places was regarded with disapprobation. The frequenting of the agora (πλήθουσα ἀγορά), generally in the forenoon, was one of the most important "functions" in the ordinary daily life of the citizens: business was then transacted, purchases were made, events and people were discussed, and ideas were exchanged.
(*l*) The three great public gymnasia in the suburbs of Athens were the Lyceum, Academy, Cynosarges, which contained places for taking various forms of athletic exercises, for bathing, for walking; round the enclosures were colonnades, terraces and seats, where, as Vitruvius says, "philosophers, rhetoricians, and other studious persons may be able to converse." There the Sophists and rhetoricians gave instruction to their pupils; and even Socrates often conversed

private houses (*m*) (the Lyceum seems to have been his favourite haunt); and with everybody—youths and men, friends and strangers, citizens and foreigners, whatever was their station in life or their profession (*n*). "Socrates," as Xenophon tells us, "lived constantly in the public eye: in the morning he betook himself to the promenades or palaestrae; at noon he appeared with the gathering crowds in the market-place; later in the day he was to be found where he was likely to meet the largest throng; and engaged generally in discourse he would welcome all who cared to listen to him" (*o*). Unlike the Sophists, he did not profess to be a "teacher"; he gave no methodical courses, and he charged no fees (*p*). He is made to say that if he could not get a listener in the ordinary course, he would even be prepared to pay for one (*q*) (and we might safely add that the fee would have to be very small). Indeed, conversation seems to have been a vital necessity of his very existence. Even in the next world the first thing he would think of would be to converse with Orpheus and Musaeus, Hesiod and Homer, Palamedes and Ajax, and other heroes of old.

"Above all," he declares to his judges, as he stands confronting death, "I shall then be able to continue my search into true and false knowledge; as in this world, so also in the next; and I shall find out who is wise, and who pretends to be wise, and is not. What would not a man give, O judges, to be able to examine the leader of the great Trojan expedition; or Odysseus or Sisyphus, or numberless others, men and women too! What infinite delight would there be in conversing with them and asking them questions! In another world they do not put a man to death for asking questions" (*r*).

To maintain talk with, especially to conduct a searching cross-examination of, a great variety of interlocutors obviously needed much tact, patience, courtesy, circumspection, and ingenuity; and Socrates was well endowed with all these qualities. At the beginning of an encounter he would frequently refer to some event that had just occurred or to some trivial incident or fact that might arouse the attention of the other party or parties, he

with his associates and other interlocutors (cf. Plato, *Charmides, Lysis, Euthydemus*). At the opening of the latter dialogue Crito says to Socrates: "Who was the person, Socrates, with whom you were talking yesterday at the Lyceum? There was such a crowd around you that I could not get within hearing.")

(*m*) Cf. Plato, *Protag.*; *Symposium*.
(*n*) Cf. Plato, *Apol.* 33 a.
(*o*) *Mem.* i. 1, 10. Cf. Plato, *Apol.* 17 c.
(*p*) Plato, *Apol.* 19 e, 31 b, 33 a; Xen. *Mem.* i. 2, 3; i. 2, 31; i. 6, 11.
(*q*) Plato, *Euthyph.* 3 d.
(*r*) Plato, *Apol.* 41 a–c.

would speak about their personal interests, their private affairs and their occupations, the conduct and concerns of their professions, about their ideas of morality and conventions—in short, about any matters they were familiar with and were likely to be interested in. Then by gradual and skilful transitions made unobtrusively as the opportunity presented itself, by means of the simplest illustrations and analogies drawn even from the humblest walks of life, he would lead them to higher subjects and to the deepest problems of thought and life, which were usually to them an entirely unexplored field (*s*).

The friends and associates, the followers and admirers who gathered round Socrates or came to listen to him cannot be said to have constituted a school, in the ordinary sense of classification used in historical philosophy (*t*). They were commonly designated his disciples; but Socrates always repudiated the suggestion that he was a teacher in the usual acceptation of the term, and his intimate friends never applied to themselves the description of disciples. His enemies, however, disparagingly described them as such. He is represented as asserting most emphatically: "Never have I yielded any base compliance to those who are slanderously termed my disciples, or to any other. For the truth is that I have no regular disciples; but if any one likes to come and hear me while I am pursuing my mission, whether he be young or old, he may freely come" (*u*). Xenophon, when referring to the numbers of the Socratic circle, speaks of them as intimates, friends, acquaintances, confidants, admirers, followers, companions, and so on, and not as "disciples" (*x*).

This was a somewhat fluctuating society, and of great variety

(*s*) See more fully as to the characteristics of Socrates, Chapter IV.; and as to his method, Chapter VI.

(*t*) Professor Bury, referring to the circle of friends that gathered round Socrates, says: "Their inquiries appear to have been chiefly concerned with mathematical and physical questions, the doctrines of Anaxagoras and Archelaus and Diogenes of Apollonia and of Pythagoras. In fact during the first half of his life the studies of Socrates were devoted chiefly to physical science" (*Cambridge Ancient History*, vol. v. (1927), p. 388). There is no evidence that when Socrates had already formed a circle of fellow-inquirers, he was still concerned with physical speculations. Indeed, what evidence there is shows that he had abandoned physical inquiries before he reached the middle of his life, and before the Socratic group of "companions" had become established.

(*u*) *Apol.* 33 a: οὐς οἱ διαβάλλοντές ἐμέ φασιν ἐμοὺς μαθητὰς εἶναι, etc.

(*x*) Xen. *Mem.* i. 2, 60 (ἐπιθυμητής, follower, admirer); i. 6, 1 (συνουσιαστής, companion); iv. 8, 2 (συνήθης, acquaintance, confidant, intimate). He even uses a periphrasis in order to avoid the invidious appellation; iv. 2, 1 (εἰς τοῦτο καὶ αὐτὸς ἥκει τῶν μεθ' ἑαυτοῦ τινας ἔχων, etc., where Socrates is referred to as betaking himself to the saddler's shop "with some of those who were with him." Aristippus referred to Socrates as ὁ ἑταῖρος ἡμῶν (companion, comrade) (Aristot. *Rhet.* ii. 24); and forty years after Socrates' death, Plato referred to him, not as "master," but as an "elderly friend of mine" (*Epist.* vii. 324 e).

as regards the station, age, and purpose of its members. Some were intimate associates (ἑταῖροι), including professional soldiers, aspiring politicians, poets and thinkers, gifted and illustrious youths, who were all fascinated by him and deeply attached to him, and sometimes had meals in common with him (*y*); others, induced by his growing fame, came to hear him for longer or shorter periods (*z*), in order to learn from him the art of success in their callings and enterprises, much in the same way as people attended the established courses of the Sophists; others, again, possessing much leisure and taking more or less interest in the art of argumentation, came to witness the dexterous handling of the notorious dialectic weapon and to enjoy the discomfiture of their friends and other interlocutors. Socrates was ready not only to inculcate in all these the love for real knowledge and virtue and to point out the difficult road thereto, but also to advise them, so far as he was able, on special questions they might submit to him in regard to public administration and statesmanship, their filial duty, fraternal affection, private concerns, appetites, self-indulgence, unworthy love, etc. (*a*). He never failed to rebuke them for any wrongful, evil, or unworthy act; and no doubt there was here and there a hearer who did not take the reproof in good part. Those who did not appear to benefit by his conversation or needed other instruction he advised to take lessons from other teachers, either as a preliminary or as a supplement to his own discourses (*b*).

It is impossible now to give a full list of these companions and auditors of Socrates, or to classify them conformably to the sections above suggested. It will be of interest, however, to recall here a few of the best-known names, more particularly some of the members of the more intimate circle.

First there is Euripides "the human," the "most tragic of poets" (according to Aristotle (*c*)), the brooding and disturbed painter of beautiful portraits of passion and suffering; he was some ten or twelve years older than Socrates, and was said to have received from him instruction in moral science; though this is doubtful, it is pretty certain that Socrates' philosophy exercised an influence on him.

(*y*) Xen. *Mem.* iii. 14.
(*z*) Cf. Plato, *Theaet.* 150 d.
(*a*) See examples in Xen. *Mem.* ii. 3, 1, 7, 8, 9; iii. 6, 7.
(*b*) Plato, *Theaet.* 151 b; Xen. *Mem.* iii. 1 (where Socrates is represented as sending a young man, who sought to become a general, to Dionysodorus, a professor of the science and art of strategy).
(*c*) *Poet.* 26.

Then there are, among others, Aristides, the son of Lysimachus, and the notorious Critias, a descendant of Solon. Of such as these Socrates is made to say: "Many of them in their ignorance either in their self-conceit despising me, or falling under the influence of others, have gone away too soon; and have not only lost the children of whom I had previously delivered them by an ill bringing up, but they have stifled whatever else they had in them by evil communications" (*d*). Critias, who was a dilettante in philosophy, had come to Socrates, not for true and thorough knowledge, but for practical cut-and-dry instruction for political life. He became one of the Thirty established in 404 B.C., and was as cruel as he was rapacious; and he was afterwards held up by the accusers of Socrates as an example of the result of the philosopher's teaching. Alcibiades, connected with the noblest Athenian families, as beautiful in person as he was buoyant reckless, vain, licentious, fought by the side of Socrates at Potidaea and Delium (*e*), and was devoted to him. He was held spell bound in the presence of Socrates, but when away from him sur rendered to the evil promptings of his disposition; and so he was also pointed out by the enemies of Socrates as a proof of his pernicious teaching (*f*).

Next we find a group of intimates, with varying gifts and personalities, but united in their common attachment to the revered master. Crito, a fellow-demesman, a life-long friend and a "fidus Achates," a man of wealth, who used it for the noblest purposes and was always ready to put it at the disposal of Socrates received his last commands and closed his eyes in death (*g*) Antisthenes, the subsequent founder of the Cynic school, never left Socrates, and never forgave his persecutors (*h*). Aristippus of Cyrene, the subsequent founder of the Cyrenaic school, ever re mained with Socrates, though afterwards departed from his teaching. Eucleides of Megara, devoting himself to logic and given to subtle argument, afterwards established, along with other companions of Socrates, a school at Megara for the cultivation of the science and art of dialectic (*i*). Aeschines, the Athenian philo

(*d*) *Theaet.* 150 d. See p. 79, and Chapter VI. on his method.
(*e*) *Symp.* 220–221 a. See *infra*, pp. 60 *seq.*
(*f*) Cf. Xen. *Mem.* i. 2, 12 *seq.* See more fully *infra*, Chapter XVI., end of sec. i.
(*g*) *Apol.* 33 d, 38 b; *Crito*; *Phaedo*, 60 a, 118 a; Diog. Laert. ii. 12, 121.
(*h*) Diog. Laert. vi. 10. Cf. *Phaedo*, 59.
(*i*) Diog. Laert. ii. 30, says that Socrates, noticing his interest in eristic argu ments, remarked to him: "You will be able to get on with Sophists, Eucleides but not with men"—meaning that hair-splitting was of no use.

sopher and rhetorician, was for a time at the court of Syracuse, and wrote a number of dialogues characterised by Socratic irony (*k*). Hermogenes, son of Hipponicus, grave and silent, gentle and pious (*l*). Xenophon, a soldier and a gentleman, passionately devoted to the memory of Socrates, a lover and admirer of the man and his noble teaching, but not a very great adept in philosophical speculation. Chaerephon of Sphettus, an enthusiastic youth of very warm feelings and great energy, who had put the question to and received the answer from the Delphic god, carried his master's teaching into practice, and later achieved distinction (*m*). His younger brother, Chaerecrates, also faithfully observed Socrates' instructions and benefited thereby (*n*). Charmides, a youth of surpassing personal beauty, cool-headed, even diffident, but amiable, humorous, and deeply devoted to Socrates (*o*). He was Plato's uncle, and no doubt introduced to the Socratic circle Plato, who became the wondrous philosopher-poet, the prince of thinkers, the supreme master of dialectic, and enshrined the memory of Socrates for ever. Apollodorus of Phalerum, nicknamed "eccentric," was timid, discontented, melancholy, but was an ardent and simple-minded follower of Socrates, who alone satisfied his yearnings, and he reckoned every hour lost that was passed away from his master. When Socrates was about to drink the poison, Apollodorus lost all self-control, and burst into tears and lamentations (*p*). Cebes (*q*) and his younger brother, Simmias (*r*), both earnest followers, who came from Thebes, and were, during Socrates' imprisonment, prepared to supply the money necessary for making good his escape, which they urged. Simmias later made a study of the Egyptian mystical religious philosophy (*s*). Phaedo of Elis, a youth of noble birth, became afterwards a founder of a school of philosophy at Elis (*t*). We may add here that Socrates held converse not only with such companions and adherents as have been mentioned above; but

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(*k*) He is usually designated "the Socratic" in order to distinguish him from Aeschines the orator.
(*l*) Xen. *Symp.* iii. 8 *seq.*
(*m*) Xen. *Mem.* i. 2, 48; ii. 3, 1 *seq.*; Plato, *Apol.* 20 e *seq.*; *Charm.* 153 b; Xen. *Apol. Soc.* 14.
(*n*) Xen. *Mem.* i. 2–48; ii. 3, 1 *seq.*
(*o*) Plato, *Symp.* 222 b; *Charm.* 154 a, c, 154 e *seq.*, 157 d, etc.; Xen. *Symp.*; *Mem.* iii. 6, 1; iii. 7, 1 *seq.*
(*p*) Plato, *Symp.* 172 e–173; *Phaedo*, 117 d; Xen. *Apol. Soc.* 28; *Mem.* iii. 11, 17.
(*q*) *Phaedo*, 59 b *seq.*
(*r*) *Ibid.*; *Crito*, 45 b; *Phaedr.* 242 b.
(*s*) Plut. *De gen. Soc.* 578 a *seq.*; Diog. Laert. ii. 124.
(*t*) *Phaedo*, 57 a *seq.*

he also gained an entrance to the circle presided over by Pericles, who was then at the head of the State (*u*).

Socrates, indeed, devoted as he was to his friends, could not but succeed in attaching his small circle closely to him. He possessed a genius for friendship, and a passion for friends ; he was delighted to share with them everything good he had. He is made to say that he would " greatly prefer a real friend to all the gold of Darius, or even to Darius himself " (*x*). That Socrates was hated by many is certain ; it is equally certain that in many he inspired deep affection as well as admiration. The beautiful tribute, which Aeschines is related to have paid his master, may be taken as an illustration : " I am poor and have nothing else, but to you I give myself " (*y*). He was able to awaken in those who consorted with him the noblest enthusiasm. His personality sometimes perplexed beholders, but its magnetic force never failed to fascinate them ; men and youths of the most different natures found him irresistible. Plato, who in his youth fell under the spell of Socrates, shows the effect of his discourse on such different hearers as Meno and Alcibiades. Meno is made to compare Socrates to a magician :

" O Socrates, I used to be told, before I knew you, that you were always doubting yourself and making others doubt ; and now you are casting your spells over me, and I am simply getting bewitched and enchanted, and am at my wits' end. And if I may venture to make a jest upon you, you seem to me both in your appearance and in your power over others to be very like the flat torpedo fish, who torpifies those who come near him and touch him, as you have now torpified me, I think. For my soul and my tongue are really torpid, and I do not know how to answer you ; and though I have been delivered of an infinite variety of speeches about virtue before now, and to many persons—and very good ones they were, as I thought—at this moment I cannot even say what virtue is. And I think that you are very wise in not voyaging and going away from home, for if you did in other places as you do in Athens, you would be cast into prison as a magician " (*z*).

Alcibiades compares the power of Socrates to the power of Marsyas with his Olympian melodies, " which possess the soul and reveal the wants of those who have need of gods and mysteries,

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(*u*) Cf. Xen. *Mem.* i. 2, 40 *seq.* With regard to those mentioned in Xenophon, see C. G. Cobet, " Prosopographia Xenophontea," in *Annales Academiae Lugduno-Batavae* (Leyden, 1836), vol. xxi.

(*x*) Plato, *Lysis*, 211 e–212 a. Cf. Xen. *Mem.* i. 6, 14.

(*y*) Diog. Laert. ii. 34 : πένης εἰμὶ καὶ ἄλλο μὲν οὐδὲν ἔχω, δίδωμι δέ σοι ἐμαυτόν.

(*z*) *Meno*, 79 e–80 a.

because they are divine" ; and he is made to express his own enchantment in the following striking words :

"But you produce the same effect with your words only, and do not require the flute : that is the difference between you and him. When we hear any other speaker, even a very good one, he produces absolutely no effect upon us, or not much, whereas the mere fragments of you and your words, even at second-hand, and however imperfectly repeated, amaze and possess the souls of every man, woman, and child who comes within hearing of them. And if I were not afraid that you would think me hopelessly drunk, I would have sworn as well as spoken to the influence which they have always had and still have over me. For my heart leaps within me more than that of any Corybantian reveller, and my eyes rain tears when I hear them. And I observe that many others are affected in the same manner. I have heard Pericles and other great orators, and I thought that they spoke well, but I never had any similar feeling ; my soul was not stirred by them, nor was I angry at the thought of my own slavish state. But this Marsyas has often brought me to such a pass, that I have felt as if I could hardly endure the life which I am leading (this, Socrates, you will admit) ; and I am conscious that if I did not shut my ears against him, and fly as from the voice of the siren, my fate would be like that of others,—he would transfix me, and I should grow old sitting at his feet. For he makes me confess that I ought not to live as I do, neglecting the wants of my own soul, and busying myself with the concerns of the Athenians ; therefore I hold my ears and tear myself away from him. And he is the only person who ever made me ashamed, which you might think not to be in my nature, and there is no one else who does the same. For I know that I cannot answer him or say that I ought not to do as he bids, but when I leave his presence the love of popularity gets the better of me. And therefore I run away and fly from him, and when I see him I am ashamed of what I have confessed to him. Many a time have I wished that he were dead, and yet I know that I should be much more sorry than glad, if he were to die ; so that I am at my wits' end" (*a*).

To return now to the few remaining events in the life of Socrates : and first as to his marriage. In the time of Aristotle—say about half a century after the death of Socrates—a story appears to have been current that Socrates had married biga-

(*a*) *Symp.* 215 b–216 b.

mously (*b*); that his first wife was Myrto, the daughter or granddaughter of Aristides, and that his second wife was Xanthippe (he is even alleged, according to one statement, to have married them at the same time). Now it is clear that Socrates married Xanthippe comparatively late in life, for his three sons by her were all young at his death, one of them being a baby in arms. We have no cogent evidence at all to guide us, but taking into account all relevant circumstances—his disposition, his vocation, his disregard of worldly concerns, and continual and persistent avoidance of worldly embarrassments—we may be reasonably certain that, if he indeed did marry twice, the second marriage took place when he was a widower (*c*), and probably a considerable number of years after he had lost his first wife.

"We must remember," as Professor Burnet observes, "that the age of tittle-tattle had begun by Aristotle's time, and the story in the form quoted from him by Diogenes Laertius is impossible. Surely too, if Plato had known the story, and if Lysimachus (*d*) had been the brother-in-law or the uncle by marriage of Socrates he would not have made him call him simply πατρικὸς φίλος" (*e*).

The story, therefore, may be rejected as unworthy of belief (*f*).

Xanthippe, whom Socrates married late in life, was of good social standing; "it seems fairly clear that Socrates, to use the

(*b*) The story is mentioned by Aristotle in his Περὶ εὐγενείας (*Fragmenta*, ed. A. Heitz (Paris, 1869), p. 58). Cf. Plut. *Aristid.* 27; Athen. xii. p. 555. Diog. Laert. ii. 26, says that there was a report that a law had been passed permitting a citizen to marry one Athenian woman and have children by another in order to increase the population.

(*c*) Taylor, *Plato's Biog. of Soc.*, p. 16.

(*d*) We have already pointed out that Lysimachus, the son of the great Aristides, was a fellow-tribesman of Socrates, and a friend of Socrates' father, Sophroniscus.

(*e*) Burnet, *Enc. of Relig. and Ethics*, vol. xi. p. 668. Myrto—as the daughter (or granddaughter) of Aristides—was no insignificant and unknown person. Had Socrates ever married her, it must have been known to his friends and companions, and certainly to Plato, who had ample opportunities to acquire this information. And had Plato been aware of it, he could not have made Lysimachus—the brother (or uncle) of Myrto—address Socrates in the following terms, making no mention of their close relationship by marriage (had such existed): "But you, O son of Sophroniscus, should let your fellow-demesman have the benefit of any advice which you are able to give. Moreover, I have a claim upon you as an old friend of your father (*); . . . and now it comes back to me, at the mention of your name, that I have heard these lads [his sons] talking to one another at home, and often speaking of Socrates in terms of the highest praise; but I have never thought to ask them whether the son of Sophroniscus was the person whom they meant" (†). We have to remember also that Plato was addressing himself to his contemporaries.

(*f*) Cf. J. Luzac, *Lect. Att. de Bigamia Socratis* (Leyden, 1809); A. Roegiers, *La famille de Socrate* (Louvain, 1897); Taylor, *Plato's Biog. of Soc.*, pp. 14–16.

(*) πατρικὸς φίλος.

(†) *Laches*, 180 d–181 a.

vulgar phrase, 'married above him'" (*g*). They had three sons, Lamprocles, Sophroniscus, and Menexenus. As has already been pointed out, when Socrates died Lamprocles was not more than a lad, while Menexenus was a baby in arms. None of the sons achieved distinction of any kind—indeed Aristotle refers to them in very disparaging terms (*h*); and their mother's hasty temper was hardly conducive to exemplary filial duty on their part—for Xenophon relates that Socrates on one occasion rebuked the eldest for showing "an angry temper" towards his mother (*i*). The name of Xanthippe had already become in ancient times proverbial for crossness, shrewishness, and nagging. Stories were circulated about her petulance, sharp tongue, and violent temper (*k*). If these anecdotes are true in substance, we are at a loss to discover the cause of Xanthippe's disagreeable disposition towards Socrates: perhaps it was due to her natural temperament, more probably a good deal is attributable to Socrates' indifference to all material concerns, his exclusive devotion to his mission (which was no doubt unintelligible to Xanthippe and failed to arouse her sympathy), and his consequent neglect of the household and its needs. The family must have become poorer and poorer (*l*); and Socrates' original contribution to the domestic

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(*g*) Taylor, *Plato's Biography of Socrates*, p. 13.

(*h*) *Rhet.* ii. 15.

(*i*) Xen. *Mem.* ii. 2.

(*k*) Cf. Diog. Laert. ii. 5, 36–37. Here is one of these stories: One day Xanthippe attacked Socrates in the market-place and tore off his cloak. His friends advised him to keep her off with his hands and not submit to her attack. Whereupon Socrates replied: "Yes, indeed; to have you crying out, 'Go it, Socrates! Well done, Xanthippe!'" On another occasion when Xanthippe first scolded him and then drenched him with water, he remarked: "Did I not say that Xanthippe's thunder would end in rain?" Diogenes does not mention the sources of these stories; but that does not necessarily disprove their substantial truth. It has, however, already been pointed out that he is not always a reliable authority.

(*l*) Xenophon tells us that on one occasion, in a conversation between Socrates and Critobulus (the son of his friend Crito) on riches and poverty, Socrates estimated the total value of his possessions at five minæ (that is, between £80 and £100, according to the present purchasing power).

"*Soc.* I do not require any more wealth, for I am rich enough already. But you, Critobulus, seem to me to be extremely poor, and at times, by Zeus, I feel very sorry for you.

Crit. (laughing at this seeming paradox). My dear Socrates, how much, in the name of the gods, do you think our properties would fetch in the market, yours and mine?

Soc. If I found a good purchaser, I suppose the whole of my property, including the house in which I live, might readily realise five minæ. Yours, I am quite certain, would fetch at least a hundred times as much.

Crit. That being so, can you indeed hold that you have no need of more wealth, and that it is I who am to be pitied for my poverty?

Soc. Yes, for what I possess is sufficient to meet my wants, whereas you, in the splendour that surrounds you, and the reputation you must live up to, would scarcely have enough if what you have already were trebled."—(*Oecon.* ii. 2–5.)

resources having been partly consumed and partly lost in the wars, it is probable that Xanthippe was compelled to support herself and her children by her labour and out of her dowry, until Lamprocles was old enough to maintain himself (*m*). No doubt the friends of Socrates, who consistently refused offers of land and money from them (*n*), sent gifts to the family: Crito, above all, was attentive to the needs of Socrates and, we may be certain, to those of the rest of the household (*o*).

It is right to add, however, that notwithstanding the above-mentioned adverse reports of Xanthippe, which were—quite naturally—more or less exaggerated, the testimony of Plato and Xenophon goes to show that she was at least solicitous about her family. Xenophon makes Lamprocles say (in his youthful buoyancy) that, though no soul on earth could endure his mother's cross-grained temper, she was (as he is also made to admit) kindly disposed towards him, took tender care of him, indeed loved him more than all else, and constantly prayed on his behalf for the blessings of the gods (*p*). Further, some commentators have suggested that Xanthippe was not without affection even for Socrates—a suggestion that is based on the statement of Plato that she visited him in prison on the last morning before his death (*q*). When his friends arrived they found her sitting near him, with his child in her arms; and as soon as she saw them she exclaimed, "O Socrates, this is the last time you and your friends will converse together." Whereupon Socrates asked Crito to take her home, and she was led away "crying out and beating herself." No doubt Xanthippe was overcome in these heart-rending circumstances, for she was human and she was emotional. To realise that we are in the presence of one whom we have known intimately for many years, and who is about to be executed, would unnerve the most self-controlled of us. It is therefore fatuous to conclude from Xanthippe's breakdown before her husband's impending doom that she had been really well-disposed and affectionate towards him. However this may be, her temper and fretfulness did not disturb his equanimity during life any more than her loud lamentations broke down his com-

(*m*) Cf. A. Boeckh, *The Public Economy of Athens*, Eng. trans. (London, 1842), p. 111.

(*n*) Xen. *Mem.* i. 5, 6: "His belief being that he who receives money from this or that chance donor sets up over himself a master, and binds himself to an abominable slavery." Diog. Laert. ii. 5, 24, 25, 31. Cf. Seneca, *De Benef.* v. 6.

(*o*) Diog. Laert. ii. 12, 121.

(*p*) Xen. *Mem.* ii. 2.

(*q*) *Phaedo*, 60 a.

posure in the hour of death. According to Plutarch, Cato the Censor admired nothing more in the character of Socrates than his patience and consideration in bearing with an ill-tempered wife and stupid children (*r*).

Whether or not the missionary activities of Socrates were hampered by the conduct of Xanthippe, they were certainly interrupted by the outbreak of the Peloponnesian War. As a citizen-soldier he was called upon to fulfil his duty, and at once responded to the call in behalf of his country. He served as a hoplite—a heavy-armed foot-soldier (*s*)—whose arms were a shield (round or oval in shape) and a short sword and lance. The equipment was usually provided by the soldier himself, so that Socrates could not have been destitute when he served in this capacity (though it is not impossible that his friends supplied him with the necessary arms). Plato mentions (*t*) three campaigns in which Socrates served, namely, Potidaea (*u*) in Thrace (431–430 B.C.), where, after a long siege, the Athenians reduced the Potidaeans to surrender, and afterwards colonised the place ; Delium (*x*) in Boeotia (*y*) (424), where the Athenians were defeated by the Thebans and Boeotians after a stubborn fight (*z*) ; Amphipolis (422), where the Athenians under Cleon met the Spartans under Brasidas ; these appear to be the only ones to which Plato refers, but there is every probability that, thanks to his fine physical attributes, he took part also in subsequent military operations. His conspicuous bravery and endurance were observed by his companions (*a*).

Alcibiades is made by Plato (*b*) to give an account of the endurance, valour, and self-sacrifice of Socrates in the expedition to Potidaea which they made together.

"There we messed together, and I had the opportunity of observing his extraordinary power of sustaining fatigue. His endurance was simply marvellous when, being cut off from our supplies, we were compelled to go without food—on such occasions, which often happen in time of war, he was superior not only to me but to everybody ; there was no one to be compared to

(*r*) Plut. *Cato Major*, 20 : ἐπεὶ καὶ Σωκράτους οὐδὲν ἄλλο θαυμάζειν τοῦ παλαιοῦ πλὴι ὅτι γυναικὶ χαλεπῇ καὶ παισὶν ἀποπλήκτοις χρώμενος ἐπιεικῶς καὶ πράως διετέλεσε.
(*s*) Cf. *Symp.* 221 a.
(*t*) *Apol.* 28 e.
(*u*) *Charm.* 153 a, b ; *Symp.* 219 e.
(*x*) *Laches*, 181 b ; *Symp.* 221 a.
(*y*) Cf. Thuc. iv. 93–96.
(*z*) Cf. Thuc. iv. 100, 101.
(*a*) See further as to his endurance, etc., Chapter IV., *in init.*
(*b*) *Symp.* 219 e–220.

him. . . . His fortitude in enduring cold was also surprising. There was a severe frost, for the winter in that region is really tremendous, and everybody else either remained indoors, or if they went out had on an amazing quantity of clothes, and were well shod, and had their feet swathed in felt and fleeces ; in the midst of this, Socrates, with his bare feet on the ice and in his ordinary dress, marched better than the other soldiers who had shoes, and they looked daggers at him because he seemed to despise them. . . . I will also tell, if you please—and indeed I am bound to tell—of his courage in battle ; for who but he saved my life ? Now this was the engagement in which I received the prize of valour : for I was wounded and he would not leave me, but he rescued me and my arms ; and he ought to have received the prize of valour which the generals wanted to confer on me partly on account of my rank, and I told them so (this, again, Socrates will not impeach or deny), but he was more eager than the generals that I and not he should have the prize " (*c*).

Again, during the withdrawal of the Athenian forces from Delium Socrates showed remarkable energy, pluck, self-control, and presence of mind. As Alcibiades is made to say (*d*) :

" There was another occasion on which his behaviour was very remarkable—in the flight of the army after the battle of Delium, where he served among the heavy-armed, and I had a better opportunity of seeing him than at Potidaea, for I was myself on horseback, and therefore comparatively out of danger. He and Laches were retreating, for the troops were in flight, and I met them and told them not to be discouraged, and promised to remain with them ; and there you might see him . . . just as he is in the streets of Athens, stalking like a pelican, and rolling his eyes, calmly contemplating enemies as well as friends, and making very intelligible to anybody, even from a distance, that whoever attacked him would be likely to meet with a stout resistance ; and in this way he and his companion escaped—for persons of this class are never touched in war ; those only are pursued who are running away headlong. I particularly observed how superior he was to Laches in presence of mind."

And this Laches is represented as saying (*e*) :

" I have seen him maintaining, not only his father's, but also

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(*c*) *Symp.* 219 e–220. That is to say, Socrates earned an award corresponding to our V.C. (His trance at Potidaea will be referred to in the following chapter.)
(*d*) *Symp.* 221 a.
(*e*) *Laches*, 181 a.

his country's name. He was my companion in the retreat from Delium, and I can tell you that if others had only been like him, the honour of our country would have been maintained, and the great defeat would never have occurred."

At the banquet at Agathon's house, where Alcibiades is supposed to have pronounced the above encomium on Socrates, Aristophanes was present; and it was in the year following the battle of Delium (the ninth year of the Peloponnesian War) that the comic poet issued the *Clouds*, wherein he launched a notable attack on the philosopher, then about forty-seven years of age. Now the banquet was held some six or seven years after the production of the *Clouds;* and then Socrates and Aristophanes are represented as fellow-revellers, and were no doubt on friendly terms. In the *Clouds* the burlesque of Socrates and his teaching is, as we shall see more fully later (*f*), wildly extravagant and extremely offensive; and Aristophanes had regard only to his purpose and certainly did not care whether his representation would prove offensive or not to Socrates and his friends. But Socrates could bear with complete self-control and equanimity not only an offence of this kind, but also cuffs and insults in the public places; so that apparently we find him and his former assailant dining and drinking toasts together a few years after the attack was made. The fact that Socrates may not have taken offence at the time certainly does not warrant our concluding that none was intended (*g*). However, when Socrates appeared before his judges some twenty-four years after the presentation of the *Clouds*, he attributed much of the popular prejudice against him to the distortions in that comedy (*gg*).

After the battle of Amphipolis (422 B.C.) we do not hear anything of Socrates for some sixteen years; that is, until the Arginusae affair. We have seen that he could gallantly and efficiently perform the military duties assigned to him; his political and civic duties also he carried out with equal conscientiousness, disinterestedness, and intrepidity, in spite of tyrannical threats. In 405 the Athenians were victorious in the naval battle fought near the islets of the Arginusae, south of Lesbos. A great many Spartan ships were destroyed or captured; but a change of weather prevented the Athenians not only from following up their success, but also from rescuing the men of their own wrecked

(*f*) See Chapter VII. in regard to Aristophanes' attack on Socrates.

(*g*) On this point the present writer cannot agree with the suggestion of Burnet, *Greek Philosophy*, p. 143, as will be shown in Chapter VII.

(*gg*) See Chapter XV., sec. i.

ships. It was thought, however, that proper measures were not taken to save them. After mutual recriminations between the generals and the trierarchs, the question was brought before the Assembly (Ecclesia), of which Socrates happened then to be the President (*h*), and the proposal was made by Callixenus that all the generals should be tried together and the cases disposed of by a single vote, instead of taking each one separately (*i*). Such procedure was a contravention of the recognised usage (the principle was explicitly laid down in the psephism of Cannonus); and Socrates, who was called upon to put the vote, refused to do so. The excited multitude, however, clamouring for vengeance had its way, and all the generals (except two who managed to escape) were condemned to death and executed. Xenophon (*k*) thus bears testimony to Socrates' inflexible conviction and fearlessness:

". . . In spite of the bitter resentment of the people, and the threats of several of those in power, he refused to put the question to the vote, considering it of greater importance faithfully to abide by the oath he had taken [that is, to act conformably to the laws], than to gratify the people unjustly, or to screen himself from the menaces of the powerful." He "ventured, in defence of the laws, to resist a storm of rage that was strong enough to have broken the resistance of any other man" (*l*). According to Plato, Socrates himself a few years later reminded his judges of this objection of his to illegal action. "The only office of State which I ever held, O men of Athens, was that of senator: the tribe of Antiochis, which is my tribe, had the presidency at the trial of the generals who had not taken up the bodies of the slain after the battle of Arginusae; and you proposed to try them in a body, contrary to law, as you all thought afterwards; but at the time I was the only one of the Prytanes who was opposed to the illegality, and I gave my vote against you; and when the orators threatened to impeach and arrest me, and you called and shouted, I made up my mind that I would run the risk, having law and justice with me, rather than take part in your injustice because I feared imprisonment and death" (*m*).

Soon after the resistance of Socrates to the illegal demands of the democracy an oligarchy was established in Athens which is

(*h*) Epistates (ἐπιστάτης) is the term used by Xenophon and Aristotle, but Thucydides uses the term πρύτανις; it was an office held only for one day. See E. Müller, *Sokrates in der Volksversammlung* (Zittau, 1894).
(*i*) Xen. *Hellen.* i. 7. 8, 9, 34.
(*k*) *Mem.* i. 1, 18.
(*l*) *Mem.* iv. 4, 2. Cf. *Hellen.* i. 7, 14, 15.
(*m*) *Apol.* 32 a.

commonly designated the Thirty Tyrants (404 B.C.). The new government proceeded to put to death not only a number of malefactors, but also—and in some cases without trial—many who merely denounced unjust and illegal measures. Many citizens were banished, many fled, and many were despoiled of their property. It is not likely that such a *régime* would countenance the activities of Socrates. One of the most virulent and thoroughgoing members of the Thirty was Critias who, as has been pointed out, had at one time been a hearer of Socrates, but had soon fallen away with feelings of prejudice and rancour against him. Critias, now conceiving the design of silencing or entrapping Socrates, caused a law to be passed against teaching the "art of words" (Xenophon tells us (*n*)), that is, against the Socratic practice of argumentation.

"At the time," goes on Xenophon (the whole passage may be quoted to show the Socratic temper in the face of difficulties and oppression), "when the Thirty were putting to death citizens, and those not mean citizens, and when they were egging on many to commit criminal acts, Socrates let fall an observation: 'It would seem surprising enough if a herdsman who kept on making his cattle worse and diminishing his herd did not confess he was an inefficient herdsman; but it would be still more surprising if a ruler of the State whose management diminished the population and impoverished the citizens should neither be ashamed nor admit himself to be a sorry sort of ruler.' This remark being reported to the Thirty, Socrates was summoned by Critias and Charicles, who pointed out the law to him and forbade him to hold discourse with the young. Thereupon Socrates inquired of them whether he might ask for an explanation, in case he failed to understand their commands in any point; and they permitted him to do so (*nn*).

"*Soc.*: 'I am prepared to obey the laws, but in order to avoid infringing the law through ignorance, I wish to ascertain whether it is because you hold that the art of reasoning tends to correctness of statement or to incorrectness that you command us to abstain from it. For if the former, it is clear we must abstain from speaking correctly, but if the latter, our endeavour should be to amend our speech.'

"*Char.* (in a fit of temper): 'In consideration of your ignor-

(*n*) Xen. *Mem.* i. 2, 31: ἀπεμνημόνευσεν αὐτῷ καὶ ἐν τοῖς νόμοις ἔγραψε λόγων τέχνην μὴ διδάσκειν . . .

(*nn*) The original form of the following passage is here slightly modified.

ance, Socrates, we will frame the prohibition in language easier to understand—we forbid you to hold discourse of any kind with the young.'

"*Soc.*: 'To avoid all ambiguity, then, or the possibility of my doing anything contrary to what you enjoin, will you define up to what age a human being is to be considered young?'

"*Char.*: 'For just so long a time as he is disqualified from sitting as a member of the Council, as not having reached mature understanding; accordingly you will not hold converse with any one under the age of thirty.'

"*Soc.*: 'If I wish to make a purchase, and the vendor is under the age of thirty, may I not ask him the price?'

"*Char.*: 'Yes, things of that sort; but you know that you have a way of asking questions, when all the while you know how the matter stands. Do not therefore ask questions of that kind.'

"*Soc.*: 'Am I not to answer either, if I am asked what I know, as, for instance, where Charicles lives, or where Critias is to be found?'

"*Char.*: 'Oh, yes of course, things of that kind.'

"*Crit.* (intervening): 'But at the same time you had better have done with your shoemakers, carpenters, and smiths (*o*). These must be pretty well worn threadbare by this time, considering the use you have made of them.'

"*Soc.*: 'And am I to hold aloof from their attendant topics also—justice, piety, and the like?'

"*Char.*: 'Most assuredly, and from cowherds in particular; for otherwise take care lest *you* lessen the number of the herd yourself.'

"Thus it was plain that they were angry with Socrates on account of his remark about the cattle, which had been reported to them" (*p*).

It is, indeed, in this way that the conversations of Socrates, with their illustrations, analogies, suggestions, and implications, as well as by their exposure of ignorance and pretension, offended now this one now that one, until their cumulative effect was to engender such an amount of hatred and antagonism towards him as to pave the way for his destruction.

Another overt attempt was made by the Thirty to implicate Socrates. In the course of their reign of terror he was ordered,

(*o*) Cf. Plato, *Gorg.* 491 a; *Symp.* 221 e.
(*p*) *Mem.* i. 2, 32–38. Cf. *Mem.* iv. 4, 2.

along with four other citizens, under threat of death, to arrest and bring for execution a citizen, Leon of Salamis, against whom no offence had been proved. This is how Socrates is made to recall this incident, which once again demonstrated his courage, independence, and resolve to do right (but we must remember here that these words are represented as having been used in his defence for his life) :

" When the oligarchy of the Thirty was in power, they sent for me and four others into the rotunda, and bade us bring Leon the Salaminian from Salamis, as they wanted to put him to death. This was a specimen of the sort of commands they were always giving with the view of implicating as many as possible in their crimes ; and thus I showed, not in word only but in deed, that, if I may be allowed to use such an expression, I cared not a straw for death, and that my great and only care was lest I should do an unrighteous or unholy thing. For the strong arm of the oppressive power did not frighten me into doing wrong ; and when we came out of the rotunda the other four went to Salamis and fetched Leon, but I went quietly home. For which I must have lost my life, had not the power of the Thirty shortly afterwards come to an end " (*q*).

Xenophon, too, gives evidence of the fact that Socrates " stood out single-handed on the ground that the injunctions laid upon him were contrary to the laws " (*r*).

At this time Socrates was sixty-four or sixty-five years of age, and he was as ardent as ever in the prosecution of his mission notwithstanding the increasing forces of hostility that he had to encounter. He continued his work until he attained his three-score-and-ten, and then another attack—this time the last one—was levelled against him (*s*). This we shall examine in the sequel (*t*) ; for the present it is necessary to supplement our brief story of the known main events of his life by considering—somewhat more fully than we have done in the occasional remarks called for by these events—his characteristics (*u*), his fundamental

(*q*) Plato, *Apol.* 32 b. Cf. Plato, *Ep.* vii. 324 e–325 c, quoted *infra*, at p. 408. Professor Bury observes that " this immunity was perhaps due to some feeling of piety in the heart of Critias, who had been one of his pupil-companions " (*Hist. of Greece*, p. 508). We can hardly expect the sentiment of piety to have suddenly sprung up in the heart of Critias at this time. The better opinion is Plato's : that the Thirty had got to the end of their tether.

(*r*) *Mem.* iv. 4, 3.

(*s*) Subsequent chapters treat of his indictment, trial, and execution ; he died in the archonship of Laches (Ol. xcv. 1=400–399 B.C.), according to Demetrius Phalereus.

(*t*) Chapter IX.

(*u*) Chapter IV.

ideas and doctrines (*x*), and his dialectic method (*y*). It is essential to have all these things clearly before us, if we are to understand the nature and the causes of the hostility he provoked in various quarters, as well as the character and the significance of the indictment that was eventually brought against him.

(*x*) Chapter V.
(*y*) Chapter VI.

CHAPTER IV

CHARACTERISTICS OF SOCRATES

Ἀνὴρ δίκαιός ἐστιν οὐχ ὁ μὴ ἀδικῶν,
ἀλλ' ὅστις ἀδικεῖν δυνάμενος, οὐ βούλεται.

(Philemon.)

(The just man is not he who merely does not injure another, but he who, having the power to do so, refuses to commit an unjust act.)

Ζωῆς πονηρᾶς θάνατος αἱρετώτερος.

(Æschylus.)

(Death is better than an evil life.)

THE physical characteristics of Socrates did not combine to give him a prepossessing appearance. He presented a figure that was a striking contradiction of all Hellenic tradition and standards of manly comeliness. He was of short stature, square, squat, of rugged and powerful build (giving him that remarkable endurance of which we have spoken), rather corpulent, with a protuberant "corporation"—"a paunch a trifle too rotund" (as he is himself represented as saying) (*a*)—and this despite his temperance and self-denial amounting to austerity. His gait was described—no doubt with a touch of exaggeration—as rolling, waddling, straddling, "stalking like a pelican" (*b*). His dress was simple in the extreme. He was clad usually in a gaberdine (*c*), often without the undergarment (*d*) that was customarily worn by Athenians, and this he found sufficient throughout the year (*e*); he went barefoot (*f*), too, in winter and summer alike, and—as we saw above, in referring to his campaigns—he dispensed with sandals and other foot-covering even in icy regions. Perhaps he did not

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(*a*) Xen. *Symp.* ii. 18.
(*b*) Plato, *Symp.* 221 b.
(*c*) τρίβων.
(*d*) χιτών.
(*e*) As to Aristophanes' aspersions on the personal habits of Socrates and his associates, see *infra*, Chapter VIII.
(*f*) Cf. Aristoph. *Clouds*, 363. He put on sandals on a special occasion, for example, for Agathon's banquet; and his friends were surprised at the unusual sight (Plato, *Symp.* 174 a). It is well to remember here, however, that the Greeks usually had no covering for their feet when indoors, and not infrequently when out of doors. (Cf. Plato, *Repub.* ii. 372 b; Lucian, *Navig.* 1.) The thoroughgoing practice of Socrates was, of course, unusual, but his case was by no means an isolated one; "it was also done by persons of consequence and wealth, such as Lycurgus the orator" (W. A. Becker, *Charicles*, Eng. trans. (London, 1854), p. 445). Cf. Plutarch, *Phocion*, 4. We may also recall the hair-cloth coverings and scanty clothing of the Hebrew prophets.

take sufficient trouble about his clothes, perhaps he could not afford to renew them frequently enough, and, in his independence, he refused gifts. At all events, at the end of his strenuous career he could face his judges and say without shame : " I am in utter poverty by reason of my devotion to the god " (*g*).

His face was equally striking : thick-set bones, beetling brows, snub nose (*h*) with a low bridge and wide nostrils, thick lips, coarse and sensual cast of mouth, large eyes set rather far apart, exceptionally prominent (*i*), that stood out in his head like those of an ox—or, as he himself is made to say of them—like those of a crab (*k*). His eyes, which he would sometimes roll as he walked (*l*), could undoubtedly flash fire on occasion, though generally they bore the softest, most winning expression, which even the imminence of death could not cloud : just before drinking the poison, as Plato tells us (*m*), Socrates enquired of the jailor directions, and looked at him " in the easiest and gentlest manner . . . with all his eyes . . . as his manner was." If no one else would sing the praises of his features, he would do so himself (as he is represented) in his good-humoured, humorous, and yet partly serious manner. Xenophon, holding the view—and quite rightly—" that not alone are the serious transactions of ' good and noble men ' most memorable, but that words and deeds distinctive of their lighter moods may claim some record," describes various incidents within his experience to illustrate the characteristics of Socrates (*n*) ; and among these incidents there is a sportive beauty competition between Socrates and Critobulus (a follower of his) (*o*). Critobulus calls upon Socrates, who claimed the beauty prize, to prove by whatever " subtle arguments " he has that he is the handsomer ; and Socrates, *more suo*, takes up his cross-examination for the purpose of adducing evidence before the company who, acting as judges, are to cast their votes in the urn.

(*g*) Plato, *Apol.* 23 b. The comic poets of the time made capital out of the poverty of Socrates ; see *infra*, Chapter VIII., as to the attack of the Old Comedy.

(*h*) Plato, *Theaet.* 209 b.

(*i*) *Ibid.*

(*k*) Xen. *Symp.* v. 5.

(*l*) Plato, *Symp.* 221 b ; cf. Aristoph. *Clouds*, 362.

(*m*) *Phaedo*, 117 b : . . . ὥσπερ εἰώθει ταυρηδὸν ὑποβλέψας πρὸς τὸν ἄνθρωπον. . . .

(*n*) *I.e.*, his *Symposium*. The date is supposed to be about 420 B.C., that is, when Socrates was about fifty years of age.

(*o*) Xen. *Symp.* v. No apology is necessary for giving here in full this delightfully humorous passage, even though an exacting critic might question its historical applicability ; in spirit and purport it is undoubtedly accurate.

"*Soc.*: 'Do you think that beauty is confined to man, or is it to be found in other objects also?'

"*Crit.*: 'I believe it exists alike in animals—the horse, the ox—and in many inanimate objects: that is to say, shields, swords, spears are often beautiful.'

"*Soc.*: 'How is it possible that these things, which do not resemble one another, should all be beautiful?'

"*Crit.*: 'Of course it is. If they are well constructed by the hand of man for the purposes for which we get them, or if adapted by Nature for satisfying some want, the things in each case are beautiful.'

"*Soc.*: 'Can you tell me, then, for what purpose we want our eyes?'

"*Crit.*: 'To be sure, for the purpose of seeing.'

"*Soc.*: 'If so, my eyes are proved at once to be more beautiful than yours.'

"*Crit.*: 'How so?'

"*Soc.*: 'Because yours can only see straight in front of them, whereas mine being prominent and projecting can see on each side of them.'

"*Crit.*: 'And amongst all animals, you will say that the crab has the most beautiful eyes?'

"*Soc.*: 'Undoubtedly, since for strength and toughness its eyes by Nature are the best constructed.'

"*Crit.*: 'Be it so. But which of our noses is the more handsome, yours or mine?'

"*Soc.*: 'Mine, I should say, if, that is, the gods gave us noses for the purpose of smelling. For your nostrils point to earth; but mine are spread out wide and flat, so as to receive scents from every quarter.'

"*Crit.*: 'But how can a snub nose be more beautiful than a straight one?'

"*Soc.*: 'For this reason, that a snub nose is not an obstruction to the eyes; it allows them free range of vision; whilst your towering nose is like an obnoxious wall of partition shutting off the two eyes.'

"*Crit.* (*p*): 'As to the mouth I give in at once; for if mouths are made for the purpose of biting, you could doubtless bite off a much larger piece with your mouth than I with mine.'

(*p*) I have made a very slight rearrangement, in order to preserve the dialogue uniformity.

"*Soc.*: 'Yes, and you will admit that I with my thick lips can give a softer kiss than you can.'

"*Crit.*: 'It seems I have an uglier mouth than that of any ass.'

"*Soc.*: 'And here is a fact that you will have to consider if further evidence be needed to prove that I am handsomer than you: the naiads, who are divine nymphs, are the mothers of Sileni, who resemble me much more than you.'

"*Crit.* (*q*): 'Nay, I give up the contest. I have not a word to say in answer. Let them therefore distribute the voting pebbles. I would like to know at once what I must suffer or pay. . . .' (*r*).

"When the urns were emptied it was found that every vote had been cast in favour of Critobulus. Whereupon Socrates exclaimed: 'Bless me! You don't say so!'"

That the countenance of Socrates was rather grotesque appears from his being made to compare himself to a Silenus, who was currently represented as an ugly old man with bald pate and puck nose (*s*). He was also compared to a satyr. Plato puts into the mouth of Alcibiades these words addressed to a company of banqueters including Socrates: "I shall praise Socrates in a figure which will appear to him to be a caricature, and yet I speak, not to make fun of him, but only for the truth's sake. I say that he is exactly like the busts of Silenus, which are set up in the statuaries' shops, holding pipes and flutes in their mouths; and they are made to open in the middle, and have images of gods inside them. I also say that he is like Marsyas the satyr. You yourself will not deny, Socrates, that your face is like that of a satyr" (*t*). "Is he not like a Silenus in this?" adds Alcibiades. "To be sure he is: his outer mask is the carved head of the Silenus; but . . . when he is opened, what temperance there is residing within" (*u*).

Whilst Socrates would relax in easy familiarity with his inti-

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(*q*) I have made a very slight rearrangement here also, in order to preserve the dialogue uniformity.

(*r*) Allusion to the penalty imposed on, or judgment given against, the loser in a law-suit.

(*s*) Despite all these peculiar features, we cannot agree with Grote, vol. vii. p. 90, that his physiognomy was "repulsive." It is not in the nature of things for a man of pre-eminent intellect, goodness, and gentleness to have a "repulsive" face, however peculiar it may be. Besides, that such an epithet is inapplicable is clearly shown by the extraordinary personal fascination Socrates exercised over his followers.

(*t*) Plato, *Symp.* 215 a.

(*u*) *Ibid.* 216 d.

mate associates, and not infrequently indulge in rollicking humour (*v*), his attitude towards the outside world was sedate and serious ; he then carried his head erect, and showed a certain pride in his demeanour. Aristophanes, satirising this, makes the Chorus of Clouds thus address their high priest :

" For that sideways you throw your eyes as you go, and are all affectation and fuss ;
No shoes will you wear, but assume the grand air on the strength of your dealings with us." (*x*)

Similarly, in a comedy of Callias, a rival of Cratinus, one character asks another : " Why so solemn, why assume such a lofty air ? " and the reply given is : " I have every right ; I am only following Socrates' example " (*y*).

These peculiarities of person (added to certain mental singularities to be presently noticed) could not but make Socrates a conspicuous " character " in Athens ; and detractors and the prejudiced found opportunities in plenty to jeer at his ugliness and ungainliness. No satirist and caricaturist, exercising his profession in a country of very free speech and very free press, could refrain from taking extravagant liberties with such a figure, especially if he were incapable of realising the worth of the man. However, a man of shining intellect, cheerful, gentle disposition, courteous demeanour, exalted spirit, benevolent and self-sacrificing character cannot be made ugly by mere physical features. It is not merely such features that constitute human beauty ; what is essential also is the inner light that illuminates them, the inner warmth that irradiates them—that is to say, the physical exterior is subordinate to personality. Sympathetic listeners fell under the spell of the magic discourse of Socrates, and of his arresting personality, and delighted, too, with the charm and urbanity of his manner, easily forgot his unusual appearance.

Alcibiades is made to say that it was a difficult task to enumerate all the singularities of Socrates (*z*). Indeed, Socrates possessed an

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(*v*) Taylor, *Plato's Biog. of Soc.*, p. 34, says that this sense of humour " makes him a sweeter and saner Hellenic prototype of our own Carlyle." If one quality sufficed for classifying people, then we should have a very large class indeed. Besides, the sense of humour of Carlyle was different from that of Socrates.

(*x*) *Clouds*, 362–363. Trans. by B. B. Rogers, *The Clouds of Aristophanes* (London, 1916). (I have generally used Mr. Rogers' fine renderings of Aristophanes.)

(*y*) Callias, frag. 12 (T. Kock, *Comicorum Atticorum Fragmenta*, vol. i. (Leipzig, 1880), p. 696) :

A. τί δῆτα σὺ σεμνοῖ καὶ φρονεῖς οὕτω μέγα ;
B. ἔξεστι γάρ μοι. Σωκράτης γὰρ αἴτιος.

Quoted by Diog. Laert. ii. 19.

(*z*) *Symp.* 214 c.

extraordinary combination of opposite qualities. He was among the poorest and humblest of citizens, but readily faced the wealthiest and the most powerful with complete self-assurance and disregard of the disparity between them. He mixed constantly with the world and emphasised the need of social intercourse and conversation, yet he preserved throughout an attitude of strange detachment, a habit of self-concentration, living in a world of his own, and abstaining from political and civil functions (*a*). He scarcely ever stepped beyond the city boundary, yet he proclaimed himself a citizen of the world (*b*). He loved to mingle with the people and to watch athletes at their games and exercises, but he danced alone at home (*c*). He impeached the incapacity of democracy, but he was no lover of oligarchy. He was loyal to his country and obedient to its law (*d*), but he opposed its traditional and customary ways and conceptions. He disclaimed various current religious notions and practices and was inclined to free thought, but he worshipped the sun, paid heed to oracles, offered sacrifices, and believed many things that were rejected by the age. He combined a sceptical attitude generally with an intense conviction of the reality of truth and virtue, a suspense of judgment about mundane things with deep-rooted faith in the eternal and infinite. He interpreted the beautiful in terms of the useful (*e*), but no one discerned as profoundly as he the supreme beauty of reason. He united in him a practical nature with lofty spiritual aspirations, common sense and level-headedness with mystic brooding, intense seriousness with humour and childlike jocularity, enthusiasm with irony, the sublime with the commonplace, and smouldering fires of passion were throughout held in check by supreme self-mastery. He may have been a satyr or a Silenus without, but he was also an Apollo within ; his physical person was laughed at, but his mind and soul exercised a profound influence; at first his discourse, with its cobblers, fullers, and the like, seemed homely and commonplace, and met with laughter, or it was sometimes a little circuitous or ponderous and met with impatience (*f*) ; but soon it became inspired, and raised his reverent hearers aloft to transcendent spheres.

(*a*) Plato, *Apol.* 31 c.

(*b*) But he was not unappreciative of the charm of the country. Cf. Plato, *Phaedrus*, 227, 230 : Socrates is made to express his delight with the sights and sounds and fragrance of the country. See also Xen. *Mem.* iii. 8, 10.

(*c*) Cf. Xen. *Symp.* ii. 17 ; Plato (?), *Menexenus*, 236 c.

(*d*) Plato, *Apol.* 28 e ; *Crito.*

(*e*) Xen. *Mem.* iii. 8, 4.

(*f*) Cf. *Mem.* iii. 3 ; iii. 10 ; iii. 11.

And all these seemingly opposed attributes together with many other striking qualities combined to produce a mind and soul that was consistent through and through and never divided against itself.

Let us dwell a little more on some of the attributes of Socrates' mind and character, and especially on certain salient peculiarities, in order to complete the portrait.

Aristotle gives, in the following terms, an arresting description of a " magnanimous " or " high-minded " man (*g*) :

" A high-minded person seems to be one who regards himself as worthy of high things, and who is worthy of them. . . . The high-minded man, while he holds an extreme position by the greatness of his deserts, holds an intermediate or mean position by the propriety of his conduct, as he estimates his own deserts aright, while others rate their deserts too high or too low."

He will be good ; he will possess " such greatness as belongs to every virtue." " He will . . . despise honour, feeling that it cannot justly attach to him. . . ."

" He will not be excessively elated by good, or excessively depressed by ill fortune. . . . " He regards honour as insignificant. " This is the reason why high-minded people seem to be supercilious." " The high-minded man is justified in his contempt for others, as he forms a true estimate of them. . . . " " . . . He is ready to encounter great dangers, and in the hour of danger is reckless of his life, because he feels that life is not worth living without honour. He is capable of conferring benefits, but ashamed of receiving them. . . . The high-minded man always aspires to superiority. . . . He never, or hardly ever, asks a favour—he is ready to do anybody a service. . . . He will be open in his hatreds and his friendships, as secrecy is an indication of fear. He will care for reality more than for reputation, he will be open in word and deed, as his superciliousness will lead him to speak his mind boldly. Accordingly he will tell the truth too, except where he is ironical, although he will use irony in dealing with ordinary people. He will be incapable of ordering his life so as to please anybody else . . . as such dependence would be servility." He will not bear grudges; will not speak evil of others. " He will be the last person to set up a wailing or cry out for help when something happens which is inevitable or

(*g*) *Nic. Eth.* iv. 7. With certain modifications and abridgments indicated, the translation given is that of J. E. C. Welldon, *The Nicomachean Ethics of Aristotle* (London, 1892), pp. 112 *seq.*

insignificant. . . . He is the kind of person who would rather possess what is noble, although it does not bring in profit, than what is profitable but not noble, as such a preference argues self-sufficiency."

The above description can be applied to a very large extent to Socrates; but it is far from adequate. He was indifferent to external, material things, and unconcerned about personal wants. In a surviving fragment of the contemporary comic poet, Eupolis, a character says: "I hate this beggarly prater of a Socrates, who has meditated more than anybody else but has never asked where he was going to get his dinner" (*h*). The invitations of princes, such as Archelaus of Macedonia, and of nobles, such as Scopas of Crannon and Eurylochus of Larissa in Thessaly, with all their plenty and luxury had no attraction for him (*i*). He is said to have replied that it was unbecoming for a man to accept benefits which he was incapable of returning; that, for his part, his needs were small—at Athens four measures of meal could be purchased for an obol, and the best spring water flowed there for nothing. Diogenes Laertius relates of him that he said on one occasion: "Others live to eat, I eat to live" (*k*). When someone once complained "that he did not take his food with pleasure, Socrates remarked: 'Acumenus (*l*) has a good prescription for that.' And when the other asked: 'And what may that be?' 'To stop eating,' he said. 'On the score of pleasure, economy, and health, total abstinence has much in its favour'" (*m*).

Xenophon gives an excellent reasoned account (*n*) of Socrates' general mode of living. He makes Antiphon the Sophist (who was apparently jealous of Socrates (*o*) and tried to draw away some of his followers) address Socrates, in the presence of the latter's associates, to the following effect:

"*Antiphon:* 'Why, Socrates, I always thought it was expected

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(*h*) Frag. 352; in *Comicorum Atticorum Fragmenta*, Ed. T. Kock (Leipzig, 1880), vol. i. p. 351:

μισῶ δὲ καὶ τὸν Σωκράτην, τὸν πτωχὸν ἀδολέσχην,
ὃς τἄλλα μὲν πεφρόντικεν,
ὁπόθεν δὲ καταφαγεῖν ἔχοι τούτου κατημέληκεν.

(*i*) Cf. Diog. Laert. ii. 5, 9; and see Xen. *Mem.* i. 5, 6; Plato, *Symp.* 219 d.

(*k*) ii. 5, 34.

(*l*) A physician of the time of Socrates, and one of his friends; cf. Plato, *Phaedrus*, 227 a, 269 a; *Symp.* 176 b.

(*m*) Xen. *Mem.* iii. 13, 2. The variety of food in Athens seems to have been very limited. For poor people the staple articles were barley-cake (μᾶζα), and porridge (ἔτνος) made of flour or meal; to these might be added dried figs, lettuce, wild thyme, etc. Meat and fish were eaten at festivals.

(*n*) *Mem.* i. 6, 1–10 (Dakyns' trans.).

(*o*) According to Aristotle, ap. Diog. Laert. ii. 5, 25.

of students of philosophy to grow in happiness daily; but you seem to have reaped other fruits from your philosophy. At any rate, you exist, I do not say live, in a style such as no slave serving under a master would put up with. Your meat and your drink are of the cheapest sort, and as to clothes, you cling to one wretched cloak which serves you for summer and winter alike; and so you go the whole year round, without shoes to your feet or a shirt to your back. Then again, you are not for taking or making money, the mere seeking of which is a pleasure, even as the possession of it adds to the sweetness and independence of existence. I do not know whether you follow the common rule of teachers, who try to fashion their pupils in imitation of themselves, and propose to mould the characters of your companions; but if you do you ought to dub yourself professor of the art of wretchedness.

"Thus challenged, Socrates replied: 'One thing to me is certain, Antiphon; you have conceived so vivid an idea of my life of misery that for yourself you would choose death sooner than live as I do. Suppose now we turn and consider what it is you find so hard in my life. Is it that he who takes payment must as a matter of contract finish the work for which he is paid, whereas I, who do not take it, lie under no constraint to discourse except with whom I choose? Do you despise my dietary on the ground that the food which I eat is less wholesome and less strengthening than yours, or that the articles of my consumption are so scarce and so much costlier to procure than yours? Or have the fruits of your marketing a flavour denied to mine? Do you not know the sharper the appetite the less the need of sauces, the keener the thirst the less the desire for out-of-the-way drinks? And as to raiment, clothes, you know, are changed on account of cold or else of heat. People only wear boots and shoes in order not to gall their feet and be prevented walking. Now I ask you, have you ever noticed that I keep more within doors than others on account of the cold? Have you ever seen me battling with any one for shade on account of the heat? or prevented walking to my heart's content by a sore heel? Do you not know that even a weakling by nature may, by dint of exercise and practice, come to outdo a giant who neglects his body? He will beat him in the particular point of training, and bear the strain more easily. But you apparently will not have it that I, who am for ever training myself to endure this, that, and the other thing which may befall the body, can brave all hardships more easily than yourself, for

instance, who perhaps are not so practised. And to escape slavery to the belly or to sleep or to lechery, can you suggest more effective means than the possession of some more powerful attraction, some counter-charm which shall gladden not only in the using, but by the hope enkindled of its lasting usefulness ? And yet this you do know : joy is not to him who feels that he is doing well in nothing—it belongs to one who is persuaded that things are progressing with him, be it tillage or the working of a vessel, or any of the thousand and one things on which a man may chance to be employed. To him it is given to rejoice as he reflects, " I am doing well." But is the pleasure derived from all these put together half as joyous as the consciousness of becoming better oneself, of acquiring better and better friends ? That, for my part, is the belief I continue to cherish.

" ' Again, if it be a question of helping one's friends or country, which of the two will have the larger leisure to devote to these objects—he who leads the life which I lead to-day, or he who lives in the style which you deem so fortunate ? Which of the two will adopt a soldier's life more easily—the man who cannot get on without expensive living, or he to whom whatever comes to hand suffices ? Which will be the readier to capitulate and cry " mercy" in a siege—the man of elaborate wants, or he who can get along happily with the readiest things to hand ? You, Antiphon, would seem to suggest that happiness consists in luxury and extravagance ; I hold a different creed. To have no wants at all is, to my mind, an attribute of Godhead ; to have as few wants as possible the nearest approach to Godhead ; and as that which is divine is mightiest, so that is next mightiest which comes closest to the divine.' "

In accordance with these reasoned principles Socrates practised moderation and temperance in all things ; he schooled himself to bear deprivation and self-denial so that he might acquire greater self-reliance and independence in the prosecution of his life's mission (*p*). To his mind over-indulgence was a base slavery.

" The habit and style of living to which he subjected his soul and body was one which under ordinary circumstances would enable any one adopting it to look existence cheerfully in the face and to pass his days serenely ; it would certainly entail no difficulties as regards expense. So frugal was it that a man must work little indeed who could not earn the quantum which contented

(*p*) Xen. *Mem.* i. 2, 1.

Socrates. Of food he took just enough to make eating a pleasure —the appetite he brought to it was sauce sufficient; while as to drinks, seeing that he only drank when thirsty, any draught refreshed. If he accepted an invitation to dinner, he had no difficulty in avoiding the common snare of over-indulgence, and his advice to people who could not equally control their appetites was to avoid taking what would allure them to eat if not hungry or to drink if not thirsty. Such things are ruinous to the constitution, he said, bad for stomach, brain, and soul alike; or, as he used to put it, with a touch of sarcasm, 'It must have been by feasting men on so many dainty dishes that Circe produced her pigs; only Odysseus through his continency and the promptings of Hermes abstained from touching them immoderately, and by the same token did not turn into a swine.' So much for this topic, which he touched thus lightly and yet seriously" (*q*).

In observing the rule of abstinence and strict moderation, he did not fall into extreme asceticism. "Let it not be inferred that he was negligent of his own body or approved of those who neglected theirs. If excess of eating, counteracted by excess of toil, was a dietary of which he disapproved, to gratify the natural claim of appetite in conjunction with moderate exercise was a system he favoured, as tending to a healthy condition of the body without trammelling the cultivation of the spirit" (*r*). He could and occasionally did enjoy good company, and participate in the carousals, but without ever losing self-restraint; at a banquet he could, if he so desired, surpass all in drinking, and yet, as Alcibiades declared in astonishment, no human being had ever seen him drunk (*s*), and at the conclusion of the festivities he could resume his daily work as though nothing had happened (*t*). Hegel, commenting on Socrates' wonderful self-possession on such festive occasions, observes that we are not to think of him throughout "after the fashion of the litany of moral virtues." "This is not

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(*q*) Xen. *Mem.* i. 3, 5–7 (Dakyns' trans.).

(*r*) Xen. *Mem.* i. 2, 4. Cf. Aristoph. *Clouds*, 415–417:

"And thy soul wilt inure all wants to endure, and from no undertaking to shrink,
And art hardy and bold, to bear up against cold, and with patience a supper thou losest;
Nor too much dost incline to gymnastics and wine, but all lusts of the body refusest."

(*s*) Plato, *Symp.* 176 c, 213 e, 220 a. Xen. *Symp.* ii. 26, represents him as requesting, on a festive occasion, that the wine be handed round in small glasses and frequently, instead of in large draughts, which make the legs reel and the thoughts falter. Obviously he did not agree with the jovial Irishman who preferred large glasses—and often.

(*t*) Cf. Plato, *Laws*, i. 649; ii. 671 *seq.*

a moderation which exists in the least possible enjoyment, no aimless abstemiousness and self-mortification, but a power belonging to consciousness, which keeps its self-possession in bodily excess " (*u*).

All the surgings of the heart, all the impulses of instinct, Socrates could master, and without retreating to a cell or a desert. He was invulnerable at all points. " He found less difficulty in abstaining from beauty's fairest and fullest bloom than many others from weeds and garbage " (*x*). In his conversation Socrates sometimes sportively declared himself a votary of Eros, and affected the language of gallantry and love (*y*). In the first place, this was part of his customary irony (which will presently be considered); and secondly, kindred terms and expressions were used by him in illustration of his idea that he himself could not give birth to wisdom, but that, as an intellectual obstetrician, he could aid others in the gestation of thought and in the delivery of their souls, and that his art also was to distinguish between phantasms and realities, between falsely begotten idols and products of noble and true birth (*z*).

Now in certain States of Greece, for example, Thebes, Elis, and the Dorian States, amatory attachments between men were not forbidden, but in Ionia and other places were considered dishonourable (*a*). The practice originated in " the romantic relation of knight, squire, and page in the Greek Middle Ages " (*b*). It was believed that it stimulated the parties concerned to perform deeds of valour and self-sacrifice on the field of battle. The custom spread to Athens, and the public gymnasia there as elsewhere sometimes fostered unnatural passions (*c*); but indecent profligacy was condemned both by law and by public opinion (*d*). In the case of Socrates, however, it is emphasised that his relations with young men were of the purest, and his self-command called forth the astonishment of Alcibiades (*e*). He strongly con-

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(*u*) *Lectures on the History of Philosophy*, vol. i. p. 395. In Aeschines, *Telauges*, Socrates is represented as reproving Telauges for his extreme asceticism.

(*x*) Xen. *Mem.* i. 3, 14.

(*y*) Cf. Plato, *Symp.* 213 c, 216 d–219, 222 b; Xen. *Mem.* iv. 1, 2; Xen. *Symp.* iv. 27.

(*z*) Plato, *Theaet.* 149–151.

(*a*) Plato, *Symp.* 182 b.

(*b*) Burnet, *Greek Philosophy*, p. 138; E. Bethe, in *Rheinisches Museum für Philologie*, etc., vol. lxii. (1907), pp. 438 *seq.*; J. A. Symonds, *A Problem in Greek Ethics* (printed privately, 1883), forms Appendix A to H. Ellis and J. A. Symonds, *Sexual Inversion* (London, 1897).

(*c*) Becker, *Charicles*, p. 293.

(*d*) Plato, *Phaedrus*, 231 e; Aeschines, *C. Timarch.*

(*e*) Plato, *Symp.* 217.

demned the degenerate excrescence on all grounds (*f*), and Xenophon tells us that he received salutary advice from Socrates on the subject (*g*). Socrates is made to say to his hearers : " Search and you shall find that nothing harsh was ever yet engendered by attachment based on moral qualities ; whilst shameless intercourse, time out of mind, has been the source of countless hateful and unhallowed deeds " (*h*). Temperate, generous, and noble affection, as involving or promoting philosophic enthusiasm and spiritual aspirations, he commended (*i*). We are informed that though he would often say that he loved some particular person, yet " all the while it was obvious the going-forth of his soul was not towards excellence of body in the bloom of beauty, but rather towards faculties of the soul unfolding in virtue " (*k*). Youthful grace and comeliness was no doubt for Socrates an innocent ground for added affection, but not at all the main, or even an important, consideration. " It was not the beauty of Alcibiades, but his splendid mental endowments, his great capacity for good or for evil, which excited the admiration and the solicitude of Socrates. . . . It was the memory of what he had done and suffered for his brilliant but erring friend which warmed the heart of Socrates towards Alcibiades, and prompted him to ever greater efforts on his behalf. . . . For an attachment like this, φιλία seemed and was too cold a word. Socrates could find no other name for it than ἔρως, and he represents himself as the ἐραστὴς of Alcibiades accordingly " (*l*). " The sanctity of Socrates," as it has been well put, " is not the less to be acknowledged, because unalloyed with sanctimoniousness " (*m*).

This sanctity, this self-mastery and self-power, did not come to him spontaneously : he strove to attain it with all the resources of his reason and his will. The story is told that a Syrian soothsayer, Zopyrus, professing that he was able to read a man's mind and character from his face, said on one occasion before Socrates and a group of his associates, that sensuality was reflected in the physiognomy of Socrates. The bystanders at once protesting, Socrates remarked that the desires were there, but reason had

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(*f*) Plato, *Phaedrus*, 239–240 ; Xen. *Mem.* i. 2, 29.
(*g*) *Mem.* i. 3, 8–15.
(*h*) Xen. *Symp.* viii. 22.
(*i*) Plato, *Symp.*, *passim* ; Xen. *Symp.*
(*k*) Xen. *Mem.* iv. 1, 2.
(*l*) W. H. Thompson, *The Phaedrus of Plato* (London, 1868), Appendix I., pp. 152–153.
(*m*) *Ibid.* p. 150.

conquered them (*n*). We may add here, too, that Aristoxenus of Tarentum (*o*), a pupil of Aristotle, states that Socrates sometimes gave way to outbursts of temper and improprieties of speech. Now we know that this Aristoxenus was given to scandal-mongering, and his evidence has been rejected by various authorities (*p*). Still, even if we admit it and regard it as cogent, we can only infer therefrom that Socrates in a very long life of delicate and arduous work was occasionally betrayed into fits of anger ; even Jesus at times lost his temper and also used violence, but none the less remains the very incarnation of love and gentleness. Any impartial judge, wishing to extenuate nothing as well as to set nothing down in malice, will readily exonerate Socrates, especially when he recollects the frequently trying circumstances in which the dialectician conducted his cross-examination, the innumerable provocations he received, the blatant abuse and even deliberate violence of some of his opponents (*q*), and, above all, the tendency of defeated opponents—smarting under a dialectic weapon that exposed their charlatanry—to misrepresent or exaggerate their treatment. The testimony of Plato and Xenophon, who knew Socrates and the Socratic tradition, and whose evidence is self-consistent and compatible the one with the other, describe and illustrate Socrates' patience, self-restraint, good humour, composure, in his conversation with interlocutors ; and this elaborate and emphatic testimony cannot be set aside. Now Grote observes (*r*) : " We cannot implicitly trust the evidence of such very admiring witnesses as to the philosopher's exemption from infirmities of temper." Surely it is much safer, either historically or judicially, to accept such proof as that of Plato and Xenophon,

(*n*) Related in a dialogue entitled *Zopyrus*, written by Phaedo of Elis, a disciple of Socrates (to whom reference has already been made, *supra*, p. 54). Cf. Cicero, *Tusc. Disp.* iv. 80 : " Cum multa in conventu vitia conlegisset in eum Zopyrus, qui se naturam cuiusque en forma perspicere profitebatur, derisus est a ceteris, qui illa in Socrate vitia non agnoscerent, ap ipso autem Socrate sublevatus, cum illa sibi insita, sed ratione a se deiecta diceret."

(*o*) Aristoxenus says that it was a report of his father, Spintharus, who came into personal contact with Socrates : Fragments of Aristoxenus, 27, 28, in C. Müller, *Fragmenta Historicorum Graecorum* (Paris, 1841–51), vol. ii. p. 280.

(*p*) For example, H. Ritter and L. Preller, *Historia Philosophiæ Græcæ*, 9th ed. (Gotha, 1913), pp. 194–195 ; Burnet, in *Ency. of Relig. and Ethics*, p. 665.

(*q*) Diogenes Laertius, ii. 5, 21, tells us, on the authority of Demetrius of Byzantium, that sometimes Socrates, in the zeal and persistence of his inquiry, received buffetings from spiteful disputants and was maltreated in other ways by them, but his attitude was one of non-resistance. When a bystander on one occasion said he was surprised that Socrates allowed himself to be kicked, the philosopher replied : " Suppose a donkey kicked me, would you have me take the law of it ? " Whether or not we believe such reports of his ill-treatment to be exaggerated, we must admit that this reply attributed to him possesses the true Socratic flavour.

(*r*) *Hist. of Greece*, vol. vii. p. 84.

able competent witnesses who speak from their own observation and from the fullest sources of knowledge, than to accept implicitly a statement of an obvious vilifier who says that somebody else made it. Besides, two further points should be borne in mind : first, the admiring witnesses would not have conceived such a profound admiration for one who lost his temper ; and, secondly, in the very prosecution of a task that demanded the co-operation of voluntary interlocutors of all grades, self-control was an indispensable condition precedent. We can, therefore, fully endorse the opinion of Hegel (*s*) :

" His behaviour to others was not only just, true, open, without rudeness, and honourable, but we also see in him an example of the most perfect Attic urbanity, *i.e.*, he moves in the freest possible relations, has a readiness for conversation which is always judicious, and, because it has an inward universality, at the same time always has the right living relationship to the individual, and bears upon the case on which it operates. The intercourse is that of a most highly cultured man who, in his relation to others, never places anything personal in all his wit, and sets aside all that is unpleasant."

Professor Taylor points out in an interesting manner certain striking resemblances between Socrates and St. Francis Xavier, both of whom combined an exalted and mystic " other-worldliness " with such marked urbanity, adaptability, gaiety of conversation, and capacity for being " good company " as enabled them to win men and retain their devotion. " To the student of Socrates it is interesting to note that Xavier established his ascendancy over brutalised soldiers and sailors by first taking the same sort of interest in their gaming and dicing which Socrates in Plato assumes in the ' love affairs ' of his young men " (*t*).

We have already mentioned in a previous chapter, in reference to Socrates' military service, his wonderful powers of endurance on the march and his serene courage and presence of mind in the face of the enemy. To these and to the other striking moral attributes above set forth, we must add his constant cheerfulness, calm content (*u*), steadfast hope, unfailing optimism, and happiness—the happiness that depends, as Aristotle says, on the exercise of the highest faculties of reason, on the energy of the soul (*x*),

(*s*) *Lectures on the Hist. of Phil.*, vol. i. pp. 395–396.
(*t*) A. E. Taylor, *Plato* (London, 1926), pp. 212, 234.
(*u*) Xen. *Mem.* iv. 8, 2 : " It was a life which at all times had been a marvel of cheerfulness and calm content."
(*x*) Arist. *Nic. Eth.* x. 6, 2, 6 ; 8, 7.

as well as the happiness that results from a consciousness of performing a whole life's worthy task honestly, sincerely, loyally, and disinterestedly. And in death as in life he could manifest a divine serenity ; having an opportunity to escape he exhibited a sublime submission to the law, and refused to violate the loyalty of his spirit and his very being (*y*).

When one considers this composure of his, one is inclined to wonder whether it was achieved by his own unaided effort, by the exertion of his own will immediately following the recognition of what is right and just and worthy, or whether it was also indebted to the operation of some outside influence—or at all events to the belief in such intervention—as in the case of so many saints, martyrs, and mystics. Now Socrates, though he impugned various practices and beliefs in the current religion on the ground that they obviously contradicted reason and stultified the very conception of Supreme Power, nevertheless accepted the prevailing State religion in great part. The whole question of his attitude towards the State religion and of his alleged impiety will be more conveniently discussed later when we deal with his religious doctrines, and with the charges against him, together with his defence (*z*). For the present, therefore, it may be pointed out that he took part in the public sacrifices and even sacrificed at home (*a*) ; like his fellow-citizens, too, he offered up prayers to Helios (*b*) and other recognised deities ; he believed in oracles (*c*), as we have seen, and advised his associates to have recourse to them (*d*), he believed in divination (*e*), and he had faith in dreams, visions, and other manifestations (*f*). In regard to the influence exercised on him by dreams he resembles, as in various other respects, some of the prophets and leaders of Israel and of the surrounding peoples (*g*).

(*y*) See *infra*, Chapter XIX., " Socrates in Prison."
(*z*) Chapters V., sect. iii., and XIV.–XV.
(*a*) Xen. *Mem.* i. 1, 2.
(*b*) Plato, *Symp.* 220 d.
(*c*) Plato, *Apol.* 21 b ; Xen. *Mem.* i. 3, 4.
(*d*) *Mem.* ii. 6, 8 ; iv. 7, 10 ; *Anabas.* iii. 1, 5.
(*e*) Xen. *Mem.* i. 1, 2–3.
(*f*) Plato, *Apol.* 33 c ; *Crito*, 44 a ; *Phaedo*, 60 d.
(*g*) Cf. *Job*, iv. 13, 14 : " In thoughts from the visions of the night, when deep sleep falleth on men, fear came upon me and trembling."
1 *Kings*, iii. 5 : " In Gibeon the Lord appeared to Solomon in a dream by night ; and God said, Ask what I shall give thee."
2 *Macc.* xv. 11 : Judas Maccabaeus encouraged his men by a vision he had seen.
Dan. ii. 1 : " And in the second year of the reign of Nebuchadnezzar Nebuchadnezzar dreamed dreams, wherewith his spirit was troubled, and his sleep brake from him."

There was undoubtedly an element of mysticism in his nature, in the sense that he experienced spontaneous intuitions, which were not amenable to rational analysis on the part of the intellect. His self-communing, together with his recognition of certain supramundane communications, in the fulfilment of his mission and in his daily practical transactions, is quite different from the ecstatic exaltation of the religious mystic transfigured by spiritual aspiration and love, as well as from the mood induced in the poetical visionary by his meditating on the beauty of nature and the harmony of cosmic design. The attitude of Socrates resembles but little that, say, of Plotinus, whose vision is of the essence of mystic " illumination " : " But when we do behold Him, then we obtain the end of our wishes, and rest. Then also we are no longer discordant, but form a truly divine dance about Him ; in the which dance the soul beholds the Fountain of life, the Fountain of intellect, the Principle of Being, the cause of good, the root of soul " (*h*). The philosophic vision of Socrates resembles but little Blake's mystical vision of reality :

> " . . . I rest not from my great task
> To open the Eternal Worlds, to open the Immortal eyes
> Of Man inwards into the worlds of Thought ; into Eternity
> Ever expanding in the Bosom of God, the Human Imagination.
> O Saviour, pour upon me thy spirit of meekness and love,
> Annihilate the selfhood in me ; be thou all my life." (*i*).

" Socrates, for all his mysticism," as a recent writer observes (*k*), " was not one of the mystics in whom transcendental emotion is most regularly aroused by loneliness and the contemplation of nature. He and Wordsworth, in spite of some marked points of resemblance, are in this respect mystics of radically opposed schools, the urban and the rustic. It was not the ' sleep that is among the lonely hills ' that induced in Socrates the mood of interior stillness and reflection of the soul back upon herself, but the busy noise and hum of man."

Whether Socrates was also, as has been alleged, a Pythagorean ascetic and practised an Orphic cult, is a question that arises in connection with his indictment ; it will be examined (*l*) later, but in the meantime we may say that the evidence adduced is not sufficient to establish the allegation.

(*h*) Cf. E. Underhill, *Mysticism* (London, 1916), p. 281.
(*i*) *Jerusalem*, ch. 1.
(*k*) Taylor, *Plato's Biography of Socrates*, pp. 19–20.
(*l*) Chapter XIV., sect. ii.

There are two peculiar characteristics of Socrates that have been ascribed to the mystical element in him, namely, his power of prolonged abstraction, and his *daemonium* (δαιμόνιον)—his "accustomed sign," or "voice."

The faculty of maintaining for a long period a condition of rapt contemplation does not appear to have been recorded of any of his contemporaries or predecessors. Socrates' power of continuous abstraction seems to be connected with his power of assuming indifference to the outer world, of enduring with patience and apparent unconcern physical fatigue and hardships: it is a kind of mental endurance as a counterpart to the physical. Plato gives two striking instances of Socrates' abstractedness. Socrates is represented as meeting on one occasion an old friend and admirer, Aristodemus. Socrates, "fresh from the bath and sandalled," was on his way to Agathon's banquet, and invited Aristodemus to accompany him. The latter consented, on condition that Socrates would explain to the host the appearance of the unexpected guest; but he found himself in the position of having to explain it himself after all.

"Socrates dropped behind in a fit of abstraction, and desired Aristodemus, who was waiting, to go on before him. When he reached the house of Agathon he found the doors wide open, and a comical thing happened. A servant coming out met him, and led him at once into the banqueting-hall in which the guests were reclining, for the banquet was about to begin. 'Welcome, Aristodemus,' said Agathon, as soon as he appeared, 'you are just in time to sup with us; if you come on any other matter put it off, and make one of us, as I was looking for you yesterday and meant to have asked you, if I could have found you. But what have you done with Socrates?'

"I turned round, but Socrates was nowhere to be seen; and I had to explain that he had been with me a moment before, and that I came by his invitation to the supper.

"'You were quite right in coming,' said Agathon; 'but where is he himself?'

"'He was behind me just now, as I entered,' he said, 'and I cannot think what has become of him.'

"'Go and look for him, boy,' said Agathon, 'and bring him in; and do you, Aristodemus, meanwhile take the place by Eryximachus.'

"The servant then assisted him to wash, and he lay down, and presently another servant came in and reported that our friend

Socrates had retired into the portico of the neighbouring house. 'There he is fixed,' said he, 'and when I call to him he will not stir.'

"'How strange,' said Agathon; 'then you must call him again, and keep calling him.'

"'Let him alone,' said my informant; 'he has a way of stopping anywhere and losing himself without any reason. I believe that he will soon appear; do not therefore disturb him.' . . . Supper was served, but still no Socrates; and during the meal Agathon several times expressed a wish to send for him, but Aristodemus objected; and at last when the feast was about half over—for the fit, as usual, was not of long duration—Socrates entered. Agathon, who was reclining alone at the end of the table, begged that he would take the place next to him; that 'I may touch you,' he said, 'and have the benefit of that wise thought which came into your mind in the portico, and is now in your possession; for I am certain that you would not have come away until you had found what you sought'" (*m*).

The second example—a much longer "trance" at Potidaea—purports to have been related by Alcibiades during the same banquet, and before all the guests, including Socrates.

"One morning he was thinking about something which he could not resolve; he would not give it up, but continued thinking from early dawn unto noon—there he stood fixed in thought; and at noon attention was drawn to him, and the rumour ran through the wondering crowd that Socrates had been standing and thinking about something ever since the break of day. At last, in the evening after supper, some Ionians, out of curiosity (I should explain that this was not in winter, but in summer), brought out their mats and slept in the open air, that they might watch him and see whether he would stand all night. There he stood all night until the following morning; and with the return of light he offered up a prayer to the sun, and went his way" (*n*).

These stories may be, of course, more or less exaggerated, but there can be no doubt that they are based on a foundation of fact; there would be neither rhyme nor reason in introducing them, in their respective places, if they were pure fiction. These so-called "trances" or "fits of abstraction" are liable, obviously, to various interpretations: a modern spiritualist would probably

(*m*) *Symp.* 174 d–175 c.
(*n*) *Ibid.* 220 b.

interpret them differently from a religious mystic, and an uncompromising rationalist would in all likelihood differ from both. Hegel describes Socrates' rapt contemplation as a cataleptic condition, analogous to somnambulism or animal magnetism, in which sensuous consciousness was absent (*o*). Others would see in the phenomenon a disdain of material things and a self-absorption in a mood of profound adoration—an enthusiasm of the soul; as Fouillée says: "n'était-ce point l'enthousiasme de l'âme compliqué d'une sorte d'ironie à l'égard du corps ?" (*p*). Or was it a deliberate act on the part of Socrates, an effort of self-discipline in order to make his will predominate and establish its dominion ? Now both stories tell us that Socrates was fixed in thought, and this gives us a clue to the simplest explanation: namely, that Socrates, already trained to the habit of giving entirely undivided attention to the object of his thought, was engaged at the time in thinking out a whole series of connected ideas by the aid of the dialectic method applied to himself, and, very probably, under the sanction of monitions from his customary "sign" or "voice"; that is to say, it was an intellectual process accompanied by ecstatic fervour. He was able to continue so long and so fixedly because his power of concentration was much greater than that of most people, just as his patience, his endurance, his serenity, his intrepidity before death were much more than most people possessed. The late Dean Stanley compared Socrates' complete abstraction from outward things to the ecstatic condition of the Hebrew prophets or leaders; but it is certainly going too far to suggest that a few hours' or a whole night's absorption in thought is like the case of Ezekiel lying "stretched out like a corpse for more than a year," or like that of Ezra "crouching in the court of the Temple from dawn till evening in his horror at the violation of the law" (*q*). The analogy to such instances, say, as those of Archimedes (*r*) and Sir Isaac Newton (*s*), is much more appropriate.

(*o*) *Werke* (Berlin, 1832, etc.), vol. xiv. p. 51: "Diess ist ein Kataleptischer Zustand, der mit dem Somnambulismus Magnetismus Analogie, Verwandtschaft haben mag, worin er als sinnliches Bewusstseyn ganz abgestorben war."

(*p*) *La Philosophie de Socrate*, vol. ii. p. 269.

(*q*) *Lectures on the Hist. of the Jewish Church*, iii. pp. 200–201.

(*r*) It is related of Archimedes that in his fits of abstraction he forgot to eat his meals, that during a period of concentration on a problem he ran out of his bath into the streets of Syracuse, exclaiming "Eureka ! Eureka !" and during another period of absorption he failed to return the answer to the soldier, who therefore killed him.

(*s*) Similarly of Newton: that once he thought he had dined when he had not; that he was once found sitting half-dressed (one account says with only one leg in his trousers) on his bed rapt in contemplation; that on another occasion he

The question of the daemonium of Socrates is one of the most difficult, and has given rise to more controversy than anything else connected with his life and character (*t*). In the first place our two best witnesses, Plato and Xenophon, differ in their accounts of the function of the daemonium; secondly, these accounts are not in themselves decisive and are not altogether without ambiguity; thirdly, these accounts are susceptible of different interpretations. In endeavouring to arrive at an acceptable working theory, the best course perhaps will be (*u*) to see what functions are attributed to the daemonium by Plato and Xenophon respectively, then to set forth a number of different views that have been propounded by writers as explanations of those functions, and, lastly, to indicate such view as fits best the reported facts.

This daemonium of Socrates, which is almost invariably referred to, both by Plato and by Xenophon, as *τὸ δαιμόνιον*, *δαιμόνιόν τι*, *δαιμόνιον σημεῖον* (divine sign) (*x*), *φωνή* (voice) (*y*), that is something daemonic ("divinum quiddam," as Cicero expresses it) proceeding from but not identical with a superior being, has been variously described by English writers as Socrates' divine sign, supernatural sign, inward monitor, spirit-monitor, "familiar," "genius," internal oracle, and so on (*z*). Thus the very use of the term has given rise to different conceptions, apart from the possible implications in the particular term. Plato makes Socrates say that very rarely if ever has such monition been vouchsafed to any other person (*a*). The Scriptures tell us of the "still small voice," and the "voice of him that crieth in the wilderness," that were heard by the Hebrew prophets in the desert, in the mountain cave, and in the sanctuary (*b*); but such voice, whatever it was, differed almost entirely from the "voice" heard by Socrates,

went down to his cellar to fetch a bottle of wine for guests, but remained there a long time deep in thought. (Let us hope that this occasion, at least, will not be misinterpreted by an uncharitable critic.)

(*t*) Cf. A. Willing, "De Socratis daemonio quae antiquis temporibus fuerint opiniones," in *Commentationes Philologae Ienenses* (Leipzig), vol. viii. fasc. 2 (1909), pp. 127–183; Joël, *op. cit.*, vol. i. pp. 70 *seq.*

(*u*) Cf. H. Jackson, "The *δαιμόνιον* of Socrates," in *Journal of Philology* (Cambridge), vol. v. (1874), pp. 232–247.

(*x*) *Phaedr.* 242 b.

(*y*) *Apol.* 31 d.

(*z*) Certain ancient writers regarded it, erroneously, as a personal genius: for example, Plut. *De Gen. Soc.* 20; Apuleius, *De Deo Socrat.* p. 111; and some modern writers going to the opposite extreme have considered it part of the Socratic irony. Others have thought it was nothing more than Socrates' moral or practical tact. (Cf. S. Ribbing, *Ueber Sokrates Daimonion* (Upsala, 1870); C. F. Hermann, *De Socratis Magistris* (Marburg, 1837).

(*a*) *Rep.* vi. 496 c.

(*b*) Cf. 1 *Kings*, xix. 12; *Isa.* xl. 3, 6; 1 *Sam.* iv. 6.

which sometimes manifested itself to him on the most trivial occasions. Nor was it analogous to the " voices " which Joan of Arc said she heard in her call to deliver her country from the foreign invader, and to which she appealed against the judgment of earthly tribunals (*c*). Then we are told of the voice heard by the Italian philosopher, Tommaso Campanella (*d*) :

" When anything evil presents itself to me, I am in the habit, whether asleep or awake, of hearing a voice, which calls out quite clearly, ' Campanella, Campanella ! ' Sometimes I hear other words also ; and though I attend to the matter at once, I can see nothing, nor can I discover who it is. Assuredly, if it is no angel, it must at least be a daemon or spirit, or a genius like that which accompanied Socrates " (*e*).

This manifestation appears to have resembled somewhat the " voice " of Socrates, but, as we shall presently see, it was really, according to all indications, a different phenomenon.

Let us first look at a few of Plato's references to this daemonium (which term is perhaps the most convenient one for our consistent usage). It was " a power more than human " (*f*). Euthyphro, the soothsayer, observes to Socrates that it was his " familiar sign " that was the basis of Meletus's accusation (*g*). Socrates was forbidden by the voice to engage in politics (*h*). He was prevented by the " sign " from deserting philosophy (*i*). When pupils who had once left him wished to return to him, the daemonium sometimes forbade him to take them back (*k*). On one occasion the daemonium intervened for a time to prevent Socrates from conversing with Alcibiades (*l*). On another occasion, when Socrates was about to leave the Lyceum, the customary sign forbade him. (" I was sitting alone in the dressing-room of the Lyceum . . . and was about to depart ; when I was getting up I recognised the familiar divine sign, so I sat down again ") (*m*). When he was about to cross a certain stream, he refrained through the appearance of the sign (*n*). A more striking instance is given

(*c*) Cf. A. Lang, *The Maid of France* (London, 1908). pp. 39 *seq.*
(*d*) 1568–1639.
(*e*) Quoted by C. du Prel, *Die Mystik der alten Griechen* (Leipzig, 1888), p. 53, referring to T. Campanella, *Atheismus triumphatus*, c. ii. Cf. J. Adam, *The Religious Teachers of Greece* (Edinburgh, 1908), p. 323.
(*f*) *Alcib.* I. 103 a.
(*g*) *Euthyph.* 3 b.
(*h*) *Apol.* 31 d.
(*i*) *Rep.* vi. 496 c.
(*k*) *Theaet.* 151 *a.*
(*l*) *Alcib.* I. 103 a.
(*m*) *Euthyd.* 272 e.
(*n*) *Phaedrus*, 242 b, c.

by Socrates in his address to his judges after his condemnation—he is addressing himself more particularly to those among the number who voted for acquittal.

" You are my friends, and I should like to show you the meaning of this event which has happened to me. O my judges—for you I may truly call judges—I should like to tell you of a wonderful circumstance. Hitherto the divine faculty of which the internal oracle is the source, has constantly been in the habit of opposing me even about trifles, if I was going to make a slip or error in any matter ; and now as you see there has come upon me that which may be thought, and is generally believed to be, the last and worst evil. But the oracle made no sign of opposition, either when I was leaving my house in the morning, or when I was on my way to the court, or while I was speaking, at anything which I was going to say ; and yet I have often been stopped in the middle of a speech, but now in nothing I either said or did touching the matter in hand has the oracle opposed me. What do I take to be the explanation of this silence ? I will tell you. It is an intimation that what has happened to me is a good, and that those of us who think that death is an evil are in error. For the customary sign would surely have opposed me had I been going to evil and not to good " (*o*).

Next, some examples from Xenophon (*p*). Socrates is made to say that the " divine something " gave him a sign (*q*) ; and nothing could have induced him to go against its warning (*r*). The familiar oracle would not suffer him to converse with Antisthenes (*s*). Each time he essayed to give his thoughts to his defence against Meletus's accusation the divine voice (*τὸ δαιμόνιον*) opposed him (*t*). Without waiting even for his inquiry, he received signs beforehand showing him what he should do and what he should not do (*u*).

It appears, therefore, that, according to Plato, the daemonium was a divine agency or instrumentality (*δαιμόνιον τι, θεῖον τί*), the customary divination or oracle of the deity (*εἰωθυῖα τοῦ δαιμονίου μαντική*). It was never defined by Socrates, and was

(*o*) *Apol.* 40 a.
(*p*) Xenophon does not use the expression *δαιμόνιον σημεῖον*. As to his use of the word *δαιμόνιον*, see R. E. Macnaghten, " Socrates and the *δαιμόνιον*," in *Classical Review* (London), vol. xxviii. (1914), pp. 185–189.
(*q*) Xen. *Mem.* i. 1. 2 ; i. 1. 4.
(*r*) i. 3, 4.
(*s*) *Symp.* 8, 5.
(*t*) *Mem.* iv. 8. 5.
(*u*) iv. 8. 1 ; i. 4. 15.

always used somewhat loosely by him. The premonitory sign was of momentary duration. It emanated from a divine original, but was not ascribed to any particular deity. It was not a divine being itself (θεός or δαίμων); and we shall see later that Meletus, in his accusation, wrested it into the sense of a divine being. It was only prohibitory or inhibitory in its operation: that is, it was only an injunction to abstain from doing a given thing, not a command requiring something to be done or a suggestion prompting to a given course of action. It was manifested frequently to Socrates, and from his early age; it warned him against all kinds of things and fortuitous events, and even against seemingly trivial things. The ground of the warning was purely practical, namely, that to do such things would be, not of necessity morally right or wrong, but rather unsafe, unwise, or inexpedient. Socrates believed that the sign was almost peculiar to him. It came to him unsolicitedly; and Socrates' belief in it was serious and sincere.

Xenophon's account agrees on nearly everything with that of Plato; and he compares the guidance received by Socrates from such divine revelation to that usually sought by others in the art of divination (μαντική) (*v*). The similarities in the two accounts need not be repeated; but the differences are these: According to Plato, the operation of the daemonium was only negative; according to Xenophon, it was both negative and positive—not to do certain things and also to do others (*x*). Plato emphasises that the matters in respect of which the admonition intervened were only matters of expediency; Xenophon is less emphatic on the point, and would seem to include also questions of right and wrong. In Xenophon the sphere of its operation is further enlarged so as to include guidance for Socrates' friends (*y*). Xenophon does not explicitly describe the daemonium as the manifestation itself, but rather as the divine power whence it emanated, that is, as equivalent to the divinity or deity; and he always uses the word as a substantive. All these differences are not of great consequence, except perhaps in regard to the affirmative and negative functions mentioned by Xenophon. But he, too, in some cases lays stress on the restraining, as distinguished from the enjoining, function (*z*). However, we may take the description of

(*v*) *Mem.* i. 1. 6–9. Cf. Plato, *Apol.* 40 a.
(*x*) Plutarch, *De Genio Soc.* xi. agrees with Xenophon, and describes the function of the admonition as either restraining or enjoining—κωλύων ἢ κελεύων.
(*y*) *Mem.* i. 1. 4.
(*z*) *Mem.* iv. 8. 5.

Plato as the more accurate. Probably Xenophon's interpretation —rather misinterpretation—was to the effect that the contrary of what was restrained was permitted, and that what was not restrained was permitted ; so that he came to speak of the double function. Similarly, his interpretation of the kinds of questions involved was due perhaps to his assimilating matters of expediency and prudence to matters of moral right and wrong—the kind of mistake we might expect from a man of action and practical-mindedness.

So much, then, for the agreement and the difference between Plato's and Xenophon's descriptions. For them the " voice " was simply a divine manifestation, akin more or less to the manifestations or signs given in the art of divination (for example, by sacrifice, by flight of birds, etc.), as well as to the inspiration of soothsayers and the " delirium " of poets (*a*). But the modern modes of interpreting the phenomenon reported by Plato and Xenophon vary enormously. Owing to recent developments of psychology and mental pathology, and to difference of opinion as to the nature and significance of certain mental states and mental phenomena, our classification of those modes can only be a tentative one for the present.

The first large division comprises writers who hold that the alleged phenomena were fictitious in the eyes of Socrates ; the second large division includes those who hold that they were real to him.

Some of those in the first division say that Socrates was not in earnest—that it was only a little joke of his. But the testimony of Plato and Xenophon is opposed to this view ; Xenophon again and again lays stress on Socrates' sincerity and seriousness in this respect. The story, such as we have it, of the whole life and consistent attitude of Socrates is at variance with such a view. Had the divine sign been merely a jocular pretence on the part of Socrates, it would certainly have been introduced on many other and important occasions besides those related ; and he would have realised that, if his claim was to inspire belief in it in others whilst he himself knew that it had no foundation in fact, the mention of the trivial occasions, on which he said the sign was manifested, would have defeated his intention. Other holders of the fiction theory, mindful of the pervading Socratic irony, say

(*a*) Cf. Plato, *Apol.* 40 a ; *Euthyph.* 3 b ; *Phaedrus*, 242 c ; Xen. *Mem.* i. 1. 3 ; i. 4. 14 ; iv. 3. 12.

that the pretence of receiving divine communications was part and parcel of his irony. But the very essence of the irony was a pretence on the part of Socrates that he did not know certain things and that he desired to learn them from others ; whereas his claim as to the divine sign involved something he did know, so that he had no intention of learning it or getting confirmation of it from others. Besides the divine sign came to Socrates, too, in his earlier life, when his customary irony was not yet in existence. Had it been only a form of his irony, it could not have been maintained for so long, without being denounced by his opponents as an imposture ; it would not have commanded the implicit faith of his associates, it would not seriously have been proclaimed to the world by Plato and Xenophon as a thing apart and unique, and Plato would not have taken the trouble to distinguish the negative from the affirmative aspect of the admonitions received. Others, again, hold that the sign merely indicated a general belief in a divine mission, or that it was used metaphorically to indicate the value and importance attached by Socrates to his ordinarily experienced presentiments. But the considerations adduced above dispose equally of such views.

The second large division comprises various explanations, which may be grouped in three subdivisions, namely, first, that though the experience of warnings was a real one to Socrates, it was a purely normal one ; secondly, that it was supernormal ; thirdly, that it was abnormal and psychopathic.

Let us first of all consider the writers of the third subdivision, who hold that in regard to the sign Socrates was insane. A French writer holds that Socrates " était un fou " ; he speaks of his " aliénation mentale," " sa folie," and so on, and says that it was fortunate that his condition preserved its " caractère sensorial," without passing to " l'état de délire général et véritablement maniaque " (*b*). Lélut's view is shared by very few writers indeed. It looks like a jumping to his conclusion, for he disregards most of the evidence of Plato and Xenophon ; he does not distinguish what he accepts of the one from what he accepts of the other, and does not discriminate between the reports of these two main authorities from the statements found in subsequent writers such as Plutarch and even in later ones. Moreover, Lélut

(*b*) L. F. Lélut, *Du Démon de Socrate* (Paris, 1856), pp. 219, 220. This theory is supported by E. Littré, " Du Démon de Socrate " in *Médecine et médecins* (Paris, 1872), pp. 82–95 ; at p. 95 Socrates is described as " une intelligence dérangée."

assumes that Socrates saw also visions besides hearing voices: which is in contradiction to Plato and Xenophon. The philosopher was admittedly peculiar, eccentric; but eccentricity is not necessarily insanity (*c*).

Many able commentators maintain that there is no need to go beyond the normal for explaining the voice or sign of Socrates. For instance, some hold that it was merely the "voice of conscience," others that it was a rapid moral judgment, a kind of moral intuition, a spontaneous expression of tact, an immediate critical sense, and so on. Thus Riddell (*d*) says:

"The fact which τὸ δαιμόνιον represented was an unanalysed act of judgment—not on a principle, but on a particular course of action already projected; not on the morality of this, but on its expediency in the Socratic sense of the term. It was κριτική, not ἐπιτακτική: whatever connection it might really have with the springs of the will, would certainly be left out of the statement by one who could identify virtue with knowledge. It was Socrates' substitute for μαντική. This implies that in the province where men are wont to supplement the failure of penetration by external preternatural aids, Socrates refused, for himself, such irrational expedients, and found, in many instances at least, a guide within himself. But to this guide, being . . . the outcome of an assemblage of unanalysed processes of thought and judgment, he in all good faith gave a religious name. His mental acts, so far as he could unravel them, were his own, were human; beyond his ken they were divine; and what really was of the nature of an immediate critical sense seemed to him an immediate inspiration."

Views of this kind, however, seem to err in a direction opposite to that of the insanity theory: the latter goes too far, the former do not go far enough, as becomes clear when we examine the brief statement, given above, of Plato's and Xenophon's evidence. Socrates thought the admonition supernatural, and he could well distinguish between intuitive conceptions and spontaneous decisions, on the one hand, from special and peculiar instances of intervention from without, on the other. Besides, he regarded moral judgment as the result of a deliberate process of thought in accordance with the dialectic method. Further, Socrates was well aware that other people besides himself were capable of spon-

(*c*) Cf. Jackson, *loc. cit.*, p. 240.
(*d*) J. Riddell, *The Apology of Plato* (Oxford, 1867), p. 108.

taneous decisions, intuitive conceptions, guidance of conscience, etc.; what he claimed was that certain additional guidance was given to him alone. A "voice of conscience" might well bring remorse or condemn actions already done; but Socrates' voice was not concerned with such states or functions. Socrates must have made hundreds of rapid judgments and spontaneous decisions without the intervention of the voice or sign; there is no moral or psychological reason for attributing the guidance of the voice or sign to some moral intuitions and spontaneous decisions rather than to others; but in the actual experiences of Socrates such distinction was found, so that moral or psychological factors could not alone—to the mind of Socrates—have determined it. Further, it is not the moral value of prospective actions that is in question, but their expediency from the point of view of their immediate results. If it was only delicate tact, if it was only an immediate critical sense that enabled him to make in certain circumstances correct and proper decisions (for of their correctness and propriety he was absolutely sure), it is strange that we should never find him recommending his associates to cultivate such tact and sense, or showing them the importance of possessing such powers, or even speaking of them. Some of his ideas he obtained and some of his decisions he made as a result of his own intellectual processes: these ideas, decisions, and processes he could analyse and impart to his collocutors; but the decisions taken as the result (as he held) of supernatural suggestions privately and specially communicated to him were imposed on him, and were otherwise unaccountable to and inexplicable by intellectual analysis.

Lastly, writers of the third subdivision of explanations hold that it is neither the normal nor the abnormal, but the supernormal that is involved. Some think that the sign and voice manifestations are to be put in the category of veritable premonitions—constituting a kind of intercourse with the Deity. Others (especially earlier commentators) suggest the influence of a special and personal genius (*e*) (as in the case of Campanella). But according to the former, mystic powers are involved, as to which we cannot very well either deny or affirm; it is rather an assumption than a reasoned theory. The latter case assumes the existence of daemons or beings intermediate between God and men, and so attempts to explain the unknown by the more

(*e*) Cf. Zeller, *op. cit.*, p. 74, n. 1.

unknown. Again, the late F. W. H. Myers (*f*) put forward the view that Socrates' peculiar guidance might be explained by messages conveyed to the supraliminal mind from subliminal consciousness.

". . . The messages which Socrates received were only advanced examples of a process which, if supernormal, is not abnormal, and which characterises that form of intelligence which we describe as *genius*. For genius is best defined—not as 'an unlimited capacity of taking pains'—but rather as a mental constitution which allows a man to draw readily into supraliminal life the products of subliminal thought. . . . The monitions which Socrates thus received were for the most part such as his own wiser self might well have given, and . . . where the limits of knowledge attainable by his own inmost reflection may possibly have been transcended, they seem to have been transcended in such direction as a clairvoyant development of his own faculties might allow, rather than in such a way as to suggest the intervention of any external power." Myers adds that he cites the case of Socrates " as an example of *wise automatism* ; of the possibility that the messages which are conveyed to the supraliminal mind from subliminal strata of the personality—whether as sounds, as sights, or as movements—may sometimes come from far beneath the realm of dream and confusion—from some self whose monitions convey to us a wisdom profounder than we know."

It may be that in the future psychological discoveries will help us to explain the phenomenon in question on some such lines as these ; for the present the recent developments of applied psychology, psychoanalysis, auto-suggestion, etc., have not yet furnished us with sufficiently certain and definite results, and it would be scientifically unsound to base a theory on uncertain and widely controverted data.

The last explanation to be mentioned is that of auditory hallucination (*g*). It seems that the " voice " of which Plato and Xenophon speak was a real voice—that is, of course, real to Socrates. Now believing that Socrates was not mentally deranged or otherwise psychopathically abnormal, as has already been maintained, we must look for an explanation which, in order to be acceptable, must account also for the hearing of the voice.

(*f*) *Human Personality and its Survival of Bodily Death*, 2 vols. (London, 1903), vol. i., pp. 95–96, 100.

(*g*) Suggested by Jackson, *loc. cit*

Medical writers recognise the possibility of the existence of a simple hallucination of one of the senses unaccompanied by mental aberration (*h*).

". . . Socrates was subject, not to delusions of the mind, but only to hallucinations of the sense of hearing, so that the rational suggestions of his own brain appeared to him to be projected without him, and to be returned to him through the outward ear. Thus the matter of the warning was suggested by the normal action of Socrates' reason ; the peculiarity of the phenomenon was the hallucination of the sense of hearing by which Socrates heard the conclusion, at which he had arrived naturally and rationally, embodied in spoken words uttered apparently by an unseen bystander. The value of the warning was due to the excellence of the tact which Socrates had developed ; whilst the reliance which he had learnt by experience to place in the warning became to him a reason for regarding it as a mantic sign from heaven " (*i*).

Socrates' discrimination between what was, in certain circumstances, expedient and desirable and what was inexpedient and undesirable was so rapid and so emphatic, his apprehension of what was the right course to adopt, when several courses presented themselves to him, was so sure and decisive, that it seemed to him as though the workings of his mind had for the time being become articulate and audible. We can all of us, in thinking over things and coming to a conclusion thereon, imagine, if we choose, that we hear a voice within us uttering those things and that conclusion ; but we know that it is our voice. The case of Socrates was different in that the voice to him was of so pronounced a character that he attributed it to another source—not unnaturally to a divine origin. That was the essence of his illusion or hallucination. This explanation is of course only a conjecture, but it is probably the best that has yet been put forward. Hence it may be considered an acceptable theory : it not only recognises the normal workings of Socrates' intellect, his reason, his judgment, his conscience, his tact, and his other relevant faculties and attributes, but it also explains a peculiar phenomenon by facts coming within our experience, and vouched for by medical investigators ; and the two elements of the explanation are not inconsistent with each other, or in contradiction with anything

(*h*) *Ibid.*, pp. 243–245, where certain authorities are quoted.
(*i*) *Ibid.*, pp. 241–242. Cf. Adam, *Religious Teachers of Greece*, pp. 322 *seq.*

else that is recorded of Socrates by the two principal witnesses in their authentic writings.

We have now considered, in brief outline, the character and peculiar characteristics of Socrates; and we may suitably conclude this chapter with the following words of Xenophon (*k*):

". . . Amongst those who knew what sort of man Socrates was, all who love virtue still to this day continue to lament his loss above that of all other men, as for one who more than any one else helped them in the pursuit of virtue. To me he was such as I have endeavoured to describe him: so pious that he would undertake nothing apart from the will of heaven; so just that he never did even a trifling injury to any man, but was of service in the most important affairs to those who enjoyed his friendship; so self-controlled that he never preferred pleasure to virtue; so wise that in distinguishing the better from the worse he never erred; nor had he need of counsel from others, but for the knowledge of these matters his judgment was self-sufficing. As he was able to set forth and reason out all such moral questions, so he was able to test others, and when they erred to cross-examine and convict them, and so to exhort them to virtue and noble manhood. With these characteristics, he seemed to be the very embodiment of human perfection and happiness."

Now owing to the unity of Socrates' personality and thought, a picture of his personal characteristics must necessarily be supplemented by a brief account of his fundamental ideas and doctrines; for it is impossible to appreciate adequately his character and personality without bearing in mind the essence of his teaching, just as it is impossible to understand properly the nature of his teaching without keeping before us his personal portrait. This applies to Socrates more than to most men.

(*k*) *Mem.* iv. 8. 11.

CHAPTER V

FUNDAMENTAL IDEAS AND DOCTRINES OF SOCRATES

O vitæ philosophia dux! O virtutis indagatrix, expultrixque vitiorum . . . ad te confugimus, a te opem petimus.

(Cicero.)

(Philosophy, thou guide of life! Thou searcher after virtue, and banisher of vice . . . to thee we come for refuge, from thee we seek for help.)

τοῦτο γὰρ πρὸς τὰ ἄλλα ζῶα τοῖς ἀνθρώποις ἴδιον τὸ μόνον ἀγαθοῦ καὶ κακοῦ καὶ δικαίου καὶ ἀδίκου, καί τῶν ἄλλων αἴσθησιν ἔχειν.

(Aristotle.)

(This is the attribute peculiar to man wherein he differs from other animals, that he alone is endowed with perception to distinguish good from evil, right from wrong.)

Ἀνθρώποισι πᾶσι μέτεστι γιγνώσκειν ἑαυτοὺς καὶ σωφρονεῖν.

(Heraclitus.)

(It is given to all men to know themselves and to practise self control.)

Δουλεύειν πάθεσι χαλεπώτερον ἢ τυράννοις.

(Pythagoras.)

(It is more grievous to be a slave to one's passions than to be ruled by a despot.)

Πολλῷ τὸ φρονεῖν εὐδαιμονίας πρῶτον ὑπάρχει.

(Sophocles.)

(Wisdom is the most important part of happiness.)

It is necessary to state at once that it is not our object to go fully into the ideas and doctrines of Socrates; the aim of this chapter is simply to set forth as concisely as possible so much of his moral and intellectual principles, political and religious views as will throw light on his character and personality. And in any case all these topics are regarded, conformably to the purpose of the present work, as ancillary to our consideration of Socrates' indictment and trial. For these reasons, too, no attempt is made to deal critically with the subject-matter of this chapter, as we might easily do in the light of later developments of ethics, logic, and psychology.

Socrates' predecessors in philosophical speculation had turned away from the practical affairs of life, and were concerned almost entirely with "physical science"; they investigated the substance of the universe, the laws of celestial and other natural

phenomena, and they desired to determine the ultimate principle governing the cosmos. To Socrates such efforts seemed vain, inasmuch as these subjects of investigation were, in his view, divine things and hence essentially unknowable by the human mind. At all events he thought it foolish to investigate more distant and more difficult matters before endeavouring to understand things less abstruse and nearer to us. Accordingly Socrates devoted himself to inquiry into human affairs and questions, and soon came to abjure the scientific researches and the old philosophers (*a*) : for him the proper study of mankind was man—the great and ever-recurring question was, how we ought to live (*πῶς βιωτέον*). Xenophon (*b*) emphasises Socrates' life-long preoccupation.

" . . . He himself never wearied of discoursing on human topics : for example, what is piety, what is impiety ; what is the beautiful, what the ugly ? What is meant by just and unjust ; what by sobriety and madness ; what by courage and cowardice ; what is a State ; what is a statesman ; what is the nature of government ; in what does skill in governing consist ? and other like problems, the knowledge of which, as he thought, conferred worth and nobility on the possessor, whilst those who lacked the knowledge might justly be deemed no better than slaves."

Thus his aim was to examine not only the fundamental significance of knowledge and virtue—the necessity of knowledge and the nature of morality—but also the numerous matters issuing therefrom, such as piety, courage, social intercourse and friendship, obligation, the existence of the gods, duty to the gods and religious worship ; he was ever ready to enter into discussions with politicians and statesmen about the science and art of politics and statesmanship, with doctors about medicine, with sculptors about their art, with the Sophists about their subjects and methods of instruction, with religious functionaries about their profession, with generals about the responsibilities of their office, with tradesmen and artisans of all kinds about their respective occupations, even with hetaerae about their mode of life. It is because of Socrates' predominant concern with human affairs, as differentiated from the physical and cosmological speculations of his predecessors, that Cicero said of him that he " called philosophy down from the heavens to earth, and introduced it into the

(*a*) See *infra*, chap. xv., sect. i., in regard to the charges made against him.
(*b*) *Mem.* i. 1. 16.

cities and houses of men, compelling men to investigate life and morals and things good and evil " (*c*).

The main ideas and doctrines of Socrates might conveniently be divided into three sections: First, moral and intellectual; secondly, political; thirdly, religious.

(i.) MORAL AND INTELLECTUAL DOCTRINES (*d*)

It has been aptly said that philosophy begins with wonder. And the supreme object of wonder is the meaning of man's life and his place in the great scheme of things. This grand problem of philosophy Socrates did not attempt to solve in any systematic manner. His work offered contributions to a philosophical system rather than an elaborately designed system. Above all, philosophy for Socrates was only a sham or a futile game, unless it were reflected in the life of its professor. It meant for him also, more strictly and literally, the love of wisdom (namely φιλοσοφία) —and so, the search for wisdom (*e*). Socrates would certainly have accepted such a description of a philosopher as that given by Thoreau: " To be a philosopher is not merely to have subtle thoughts, nor even to found a school, but so to love wisdom as to live according to its dictates, a life of simplicity, independence, magnanimity, and trust." The Socratic life and the Socratic doctrine were so closely interwoven and constituted such a harmonious unity that it may be said—as Reid said of space and time—that each is contained in every point of the other. The philosophy of Socrates was truly, in the words of Milton:

> " . . . Divine Philosophy!
> Not harsh and crabbed, as dull fools suppose,
> But musical as is Apollo's lute." (*f*)

The essential problem of the Socratic philosophy—the attainment of self-realisation—may be stated in the words of Hegel (*g*): " Man has to find from himself both the end of his actions and the end of the world, and must attain to truth through himself." This problem raises a great many abstruse questions; but it is

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(*c*) Cic., *Acad. Post.* i. 4. 15; *Tusc.* v. 4. 10. Cf. Diog. Laert. ii. 21.

(*d*) With regard to his intellectual doctrines, see also the next chapter, which deals with his dialectic method.

(*e*) Cf. Plato, *Repub.* ii. 376 b. The term " philosophy " never became a technical term for Socrates; it always retained its etymological significance. In his view " wisdom " (σοφία) was for all practical purposes equivalent to " knowledge " (ἐπιστήμη). (Cf. Xen., *Mem.* iv. 6. 7.)

(*f*) *Comus*, ll. 477–479.

(*g*) *Loc. cit.*, vol. i., p. 386.

not our purpose here to go into all of these: our main concern at present is to set forth Socrates' conception of knowledge and virtue, in order that we may the better grasp the nature of the task he set himself in his mission, which eventually brought him into conflict with the State.

The age of Socrates, as we have seen (*h*), was one in which scepticism had set in and was disturbing every department of life and thought. The old guides—religion and inveterate custom—were found wanting, and their sanction was being increasingly impaired. The conservative sections of the people, mindful of the patriotic vigour and valiant deeds of the preceding generation as well as of the steadying and harmonising influence of religion on the communal life, ascribed to the prevailing doubt the cause of the disquiet and troubles of the body politic. Socrates soon perceived that the growing scepticism, resulting on the one hand in moral indifferentism and intellectual apathy, and on the other hand in arbitrary claims on the part of individuals to be a law unto themselves, would lead to moral and intellectual confusion and anarchy. He saw that in that age of "enlightenment" another agency was necessary for counteracting the factitious operation of doubt and for supplementing its sincere expression. It was not merely doubt—which always had its good side as well as its bad side—but want of true knowledge that was the real cause of human error, vice, and perversity. The healthful existence of a community—and human life outside a community was as inconceivable to Socrates as it was to the most sceptical anarchists—implied harmony; harmony demanded the fitness of each individual for the whole—for there was, obviously, something common to all the members of the community; and such fitness, as it appeared to Socrates, could be ensured only by the acquisition of knowledge. Only right knowledge (ἐπιστήμη)—which implied a kind of intellectual illumination and moral insight—could reveal and promote the true meaning and purpose of individual and communal life.

In all arts and crafts and every kind of handiwork ability, efficiency, skill was, admittedly, necessary for the accomplishment of good work; defective work was clearly due to want of skill. And this skill was nothing but applied knowledge. Similarly, reflecting on human life and the way it was wrought and managed, Socrates came to regard man almost as an artist or artificer and

(*h*) Chap. i.

his life as an art or craft ; so that ability and skill—that is to say, a certain appropriate knowledge—was equally essential for the conduct and management of life.

Socrates, then, perpetually insisted on the necessity of knowledge. This insistence was not, of course, an entirely new departure in the history of Greek thought, for the Greeks had long recognised an intellectual element in morality. Poets and historians often represented sin as a form of mental blunder or aberration, lack of balance in character being regarded as due in part to want of right and adequate knowledge. But Socrates went further, and maintained that when a man possessed right knowledge evil and sin could not enter his life, no matter what temperament he had and what accidents befell him. For knowledge is necessarily productive of goodness or " virtue " (ἀρετή) which implies the fittest conduct in all circumstances (*i*).

Thus there is, according to Socrates' conception, an essential solidarity and unity between knowledge and virtue and conduct. Knowledge and virtue are inseparable, if not identical in the strict sense of the term. Socrates treats them as identical, but the meaning he attaches to " knowledge " is wider and deeper than it is in our usage. He certainly does not identify virtue with knowledge in the sense of organised science or encyclopædic information, or merely the scientific or metaphysical knowledge gained by penetrating to the essence of things. Virtue is, on the contrary, brought into relation with a particular kind of knowledge, namely, the knowledge of the good—the knowledge that reveals what is fit and suitable and proper for life, the knowledge that gives us a just perspective in life, a right estimate of values, that makes us " see life steadily and see it whole " (if we may use Goethe's words here). To be endowed with such vital knowledge is necessarily to act in conformity with it, that is, to possess virtue. For true knowledge enjoys a supremacy that cannot be usurped by passion, or any other supervening emotion. Socrates is thus represented as addressing Protagoras (*k*) :

" Uncover your mind to me, Protagoras, and reveal your opinion about knowledge, that I may know whether you agree with the rest of the world. Now the rest of the world are of opinion that knowledge is a principle not of strength, or of rule, or of command : their notion is that a man may have knowledge, and

(*i*) " Virtue " or " goodness " is not an exact equivalent for ἀρετή, but it is impossible to find a more adequate English word. Cf. Plato, *Protag.* 325 a.

(*k*) Plato, *Protag.* 352 b.

yet that the knowledge which is in him may be overmastered by anger, or pleasure, or pain, or love, or perhaps by fear,—just as if knowledge were a slave, and might be dragged about anyhow. Now is that your view ? or do you think that knowledge is a noble and commanding thing, which cannot be overcome, and will not allow a man, if he only knows the difference of good and evil, to do anything which is contrary to knowledge, but that wisdom will have strength to help him ? "

Socrates identified knowledge with virtue, because he felt that each of them was like an art which might be perfected by practice and experience ; this process of perfecting depended on the application of certain common principles, sovereign and eternal ; and the proper application of such governing and impersonal principles —recognised by the individual as the use of his own personal skill —would then bring about his self-realisation.

Now the doctrine that virtue is knowledge was not peculiar to Socrates. The Sophists professed to teach " virtue " ; what was taught or imparted by them could only be knowledge too, so that virtue and knowledge were taken by them to be identical. But the great difference between them and Socrates was that the " virtue " they taught was practical skill or efficiency for domestic, political, and administrative life—that is, as external accomplishments which might be used or discarded at will, and which did not stand in any necessary relation to each other ; whilst the Socratic virtue was a unity—for Socrates considered all virtues to be forms of virtue and therefore necessarily one—it was something much deeper, more intimate, and more comprehensive than the Sophistic virtue, it was that goodness which was inherent in the very soul, with which the whole being was imbued, so that a man was thereby rendered incapable of doing or even thinking evil, and to such a man, indeed, no evil could happen at all (*l*).

All things exist for a purpose, and have a use. No useful activity is a disgrace (*m*). " The useful is the noble, the hurtful is the base " (*n*). The beautiful (τὸ καλόν) is the useful (τὸ χρησιμόν). Hence the principle of utility must be a guiding criterion. It is reason (λόγος) that discerns such ability. Therefore reason is sovereign, and its dictates are superior to the claims of tradition, and the blind promptings of feeling, prejudice, and private interest. Reason is brought into play by criticism. Hence it is

(*l*) Cf. *Apol.* 41 c.
(*m*) Xen., *Mem.* i. 2. 56.
(*n*) Plato, *Repub.* v. 457 b.

the privilege, indeed the inevitable and inalienable task, of criticism to test the validity of authority, the tenability of tradition, and the true worth of all institutions, laws, and doctrines, by applying one uniform and consistent criterion—utility.

All men desire to attain the good, but through absence of knowledge they do not know what the good is nor where to find it. They grope about and blunder on from day to day, surrendering to anything that happens to allure them. Now the good—virtue—is not an accidental discovery or a fortuitous gift, but a result of the exercise of reason. True virtue is certain, constant, and invariable, because it is referred by reasoning to its true cause (*αἰτία*); other so-called "virtue" depends on chance, accident, changing circumstance, and so is precarious, inconstant, and variable, and whatever good it possesses is good in so far as it partakes of the true virtue (*o*). If men gain the power of discerning their real good, they will see that it is indispensable for them, so that they will be bound to endeavour to attain it; for "no one errs or is evil willingly" (*οὐδεὶς ἑκὼν κακός*) (*p*).

The Socratic paradox that all wrong-doing is involuntary, which is a corollary from the fundamental principle that virtue is knowledge or wisdom, is thus explained by Xenophon, who attempts, with recollections of Socrates' reasoning method, to put the argument in syllogistic form.

"He said that justice and every other virtue is wisdom. That is to say, everything just, and everything done conformably to virtue, is "beautiful and good" (*καλὰ κἀγαθά*); and those who know these things will not deliberately choose aught else in their stead; nor will he who lacks the special knowledge of them be able to do them, but even if he attempts to do so he will fail. So the wise alone can perform the things that are 'beautiful and good'; the unwise cannot, and even if they try they fail. Hence, as all things just, and generally all things 'beautiful and good' are done agreeably to virtue, it is clear that justice and every other virtue is wisdom" (*q*).

Now, obviously, if a man possesses a knowledge of the best, it must have an ennobling effect on him; conversely, if his knowledge is of the worst, it will have a degrading effect on him. If a man knows the bad, understands its nature and its implications, and realises that it is bad for him, he will not choose it deli-

(*o*) Cf. *Phaedo*, 82–83.
(*p*) Cf. *Apol.* 25e–26a.
(*q*) Xen., *Mem.* iii. 9. 5.

berately, because he of necessity desires what is good for him: so that to choose what is bad is an involuntary act, in the sense that he chooses it wrongly believing it to be good for him. But it has frequently been objected that the doctrine is untenable, because it disregards the will: for the will may be weak and so may lag behind the leading of the intellect. Thus Aristotle criticised Socrates' doctrine on the ground that though a man may possess knowledge of the good he may none the less be incontinent or lacking in self-control (ἀκρασία).

"But perhaps," he says, "some one will raise the difficulty as to how a man who rightly comprehends can be incontinent. For some deny that the man who has knowledge can be so. For it seems a monstrous thing, as Socrates held, when knowledge is in a man, for some other power to master it and drag it round like a slave. Socrates indeed was absolutely opposed to the doctrine, as though no such thing as incontinence existed; for no man with understanding acts contrary to what is best in him, but through ignorance. Now this argument is obviously at variance with the facts" (*r*).

Socrates would probably have replied that this argument only seems to be at variance with the facts; for in the case of the incontinent person, his very lack of self-control is due to his imperfect knowledge—the allurements of the bad so seduce, dazzle, and enslave him, that he cannot be said to be in possession of true knowledge at the time.

Every action is determined by the intellect; every immoral act originates in a defective intellect; that is, want of knowledge is the cause of vicious or wrongful conduct. Conversely, he who possesses the necessary knowledge does what is right. The contemporaries of Socrates believed that man's will in itself, apart from his other faculties, could be trained by exercise and directed by the sanctions of rewards and punishments; but Socrates held that will was a function of the intellect—so that it was the intellect that was really the prime source and controller of action. He would, therefore, certainly have rejected the view that a man might, in the words of Ovid, "see and approve the better and yet follow the worse."

The prelude to the right fashioning of one's life is consciousness and conviction of one's ignorance. The first obstacle to be surmounted is false pretence to knowledge, pretension to it with-

(*r*) Aristot., *Eth.* 1145 b, 21.

out sufficient foundation, and confusion of thought. Therefore, a clarification or purgation is necessary as the fulfilment of a condition precedent; that is, a clearing of the ground before building on it.

Socrates assumes that all persons (women (*rr*) as well as men) possess the capacity for knowledge, and the corresponding disposition for virtue. Hence it is their duty to acquire this knowledge and cultivate this disposition by education. But for this purpose the first step is self-knowledge. Thus Socrates starts with a principle known to all: it issued from a source which had long exercised authority and commanded respect, namely, the inscription at Delphi: "Know thyself" (γνῶθι σεαυτόν). Socrates is made to say that he has no time for investigating allegories, and the stories relating to centaurs and chimeras, gorgons and winged steeds, and other inconceivable and portentous monsters, because his predominating concern is to know himself. "I must first know myself, as the Delphian inscription says; to be curious about that which is not my concern, while I am still in ignorance of my own self, would be ridiculous" (*s*).

"Know thyself" was Socrates' sacred and ubiquitous text; and the account of Xenophon, who looks at it as an intelligent moralist if not as a profound philosopher, exemplifies its meaning and its implications. He makes Socrates say in his conversation with Euthydemus:

"Can a man be said . . . to know himself who knows only his own name? or must he not rather proceed like the would-be purchaser of a horse, who does not think he possesses the knowledge he needs until he has ascertained whether it is tractable or stubborn, strong or weak, swift or slow, and how it is as to the other points, serviceable or disadvantageous, in regard to the use of a horse? So, must not a man in like manner discover his own nature in regard to things appertaining to mankind, and learn to know his own capacities? . . . Through self-knowledge men enjoy countless blessings, and through ignorance of themselves incur many evils. For the man who knows himself knows what is suitable for himself; he knows what he can do and what he cannot do, and by doing what he is able to do he provides himself with what he needs and so prospers; or by abstaining from what he does not know, he avoids mistakes, and thereby misfortune.

(*rr*) Cf. Plato, *Repub.* v. 451 *seq.*; Aeschines, *Aspasia.* The latter bears out Plato's account of Socrates' views regarding the training and potentialities of women.

(*s*) *Phaedrus*, 229 e. Cf. *Symp.* 216 a.

Having self-knowledge, he is able to gauge other men, so he uses their need as a stepping-stone for obtaining what is good and avoiding what is evil. But he who does not know himself, and is mistaken as to his own powers, is in like predicament with regard to the rest of mankind and other human affairs: he does not understand what they need, what they are doing, nor the nature of those he deals with; and being at a loss in these respects, he misses what is good and falls into evil" (*t*).

Ignorance of self makes acquisition of knowledge impossible; want of knowledge makes it impossible to realise what virtue and its various manifestations (that is, operations of virtue in the different activities of life) are, and ignorance of this makes a man a slave of his environment (*u*).

The maxim "Know thyself" is susceptible of various interpretations: for example, in the first place it implies an analytical operation, involving a psychological process; secondly, it may be taken as expressing a confession of modesty and humility, as against, say, the pretension and self-assurance of the Sophists; thirdly, it may be considered as indicating a starting-point of a search for the unity of contradictories; fourthly, it may imply a behest to acquire that knowledge of the "general" in us, which is the immanent substratum of all our words and deeds. This last view is thus expressed by Boutroux (*x*):

"According to Socrates to know oneself was not simply to be conscious, under all circumstances, of what one is or is not capable. It meant entering deep into one's own soul, beyond the particular and the fleeting, to find the one identical, permanent substratum. It meant finding that secret nature we carry about everywhere with us, and which contains within itself the conditions of our wisdom and happiness far more than do external things. In a word, the Socratic maxim is an exhortation to become conscious of whatever in us is general."

"Know thyself" implies, indeed, that it is possible for us to know our nature, our potentialities and propensities, to know the needs and the aim that become a man, and the power to adjust ourselves accordingly, by the guidance of reason. It implies a capacity to distinguish between what we know, what we only seem to know, and what we do not know at all (*y*). It implies a

(*t*) *Mem.* iv. 2. 25–27.
(*u*) Cf. Xen., *Mem.* i. 1. 16.
(*x*) *Historical Studies in Philosophy*, pp. 26–27.
(*y*) Cf. *Apol.* 21 b, c.

certain self-confidence and self-reliance, with a buoyant hope that the adventure of life can be brought to a successful and worthy issue. Unlike the doctrine of so many great Christian saints and teachers, it does not recognise the insignificant littleness of man, the devastating conflict between his higher and his lower self, his despairing impotence and helplessness to achieve salvation without divine grace. It has not anything of the poignant sense of frustration and cross-purposes expressed by St. Paul:

"To will is present with me; but how to perform that which is good I find not. For the good that I would I do not; but the evil which I would not, that I do. . . . I find then a law, that when I would do good, evil is present with me" (*z*). This attitude is well distinguished from the Socratic attitude by a recent writer: "He [Socrates] had not probably much experience of that intense searching of heart, that profounder apprehension of personal weakness and sinfulness which characterised men like David or St. Paul. The attitude of these men was one alien to the Greek temper, and the very strength and brilliancy of the Greek genius were conditioned by its freedom from such self-questioning and self-abasement" (*a*).

Self-examination is indispensable. "An unexamined life is not worth living"—ὁ ἀνεξέταστος βίος οὐ βιωτὸς ἀνθρώπῳ (*b*): that is the grand principle of the Socratic philosophy, that is the indisputable justification of Socrates' actual life and his unswerving devotion to his mission. Error and evil result from ignorance, and ignorance is due to inadequate reasoned reflexion. This self-examination does not mean exactly for Socrates the self-communing of the Pythagorean practitioner, asking what sin he had committed, how it had come about, what obligation had been neglected, and so on. Such brooding introspection would have seemed to Socrates irrational.

It is obvious that knowledge in the Socratic sense is something different from knowledge in our customary sense—information about this or that matter of fact. Knowledge for Socrates is such knowledge of universal principles as will illuminate man's vision, clarify his understanding, fortify his will, and purify his emotions. As the late Dr. Adam put it (*c*):

"It is a certain overmastering principle or power that lays hold primarily indeed of the intellect, but through the intellect of the

(*z*) *Rom.* vii. 18–19, 21.
(*a*) J. Marshall, *Xenophon: Memorabilia* (Oxford, 1890), p. xix.
(*b*) *Apol.* 38 a.
(*c*) *The Religious Teachers of Greece*, p. 329.

entire personality, moulding and disciplining the will and the emotions into absolute unison with itself, a principle from which courage, temperance, justice, and every other virtue inevitably flow.'

No wonder, then, that Socrates, having attached this profound significance to knowledge, proceeded to identify it with virtue.

The identification of knowledge and virtue, however, does not render easy the task of attaining to the heights of goodness, justice, and truth; it demands the progressive development of character, constant self-discipline to resist temptation, persevering efforts to choose the better though seemingly the less attractive. Self-abasement is useless; man must stand up to this conflict with a will to win conformably to the behests of reason. Throughout he will exercise self-restraint, self-mastery, which is the very corner-stone of virtue; not total abstinence or extreme asceticism, but temperance or moderation guided by knowledge. Thus he will acquire and enjoy perfect mental freedom. The aim is to attain to his self-liberation from the tyranny of the surrounding world, not by running away from it, but by confronting it; not by complete self-abnegation, but by self-dominion. To leave the world for the purpose of gaining inward freedom, as in the practice, say, of monasticism, would have seemed to Socrates not a solving of the problem, but a shirking of it.

Virtue is not dependent on riches, exalted station, or noble birth (*d*). It is not what a man possesses, nor where he comes from, but what he is that gives him a title to rank and admiration. Wealth, position, etc., are means to an end, namely, life; and if the end be not glorified thereby the means are a failure and are worthless. Plato makes Socrates express himself to this effect (*e*):

"Hearing of enormous landed proprietors of ten thousand acres and more, our philosopher deems this to be a trifle, because he has been accustomed to think of the whole earth; and when they sing the praises of family, and say that some one is a gentleman because he can show seven generations of wealthy ancestors, he thinks that their sentiments only betray a dull and narrow vision in those who utter them, and who are not educated enough to look at the whole, nor to consider that every man has had thousands and ten thousands of progenitors, and among them have been rich and poor, kings and slaves, Hellenes and barbarians, innumerable."

Just as virtue can be engendered only in social life, so it can be

(*d*) Cf. *Apol.* 29 d, 30 b, 41 d.
(*e*) *Theaet.* 174 e–175 a.

practised only in social life. As virtue depends on knowledge, and knowledge can be acquired only by dialectic investigation, which can be most effectively carried out in intercourse with our fellow-creatures, therefore social intercourse is necessary for bringing virtue into being. The virtue of each man is good not only for himself, but also for his fellow-creatures, so that virtue fosters and ennobles social intercourse, and promotes the harmony and unity of mankind. "If we want to win the love of any good man we need to be good ourselves in speech and action. . . . It is not possible for a bad man to make good friends" (*f*). The bad cannot be friends with one another; they are bound to be foes, and bear "the birthmark of internecine hate"; nor can they "harmonise in friendship with the good" (*g*). Friendship is necessarily unselfish; it is an exchange of faithfulness and goodwill, a rivalry in mutual service.

". . . Over all obstacles friendship finds her way and unites together the beautiful and good among mankind. Through their cultivation of virtue they would rather possess a moderate competency without strife than attain unlimited power by means of war. Despite hunger and thirst they will share their meat and drink ungrudgingly. Though delighted by the charms of youthful beauty, they can maintain their self-control, and will refrain from hurting those whom they ought not to hurt. By eschewing all greed of riches they can not only make a just and lawful distribution of the common property, but can also supply what is lacking to the needs of one another. They can compose their differences not only without mutual offence, but even to the general advantage. They can put a curb on their anger, so that it will not entail remorse afterwards. And as to envy they will entirely banish it: what they possess will be shared with their friends, what their friends possess will be shared with them" (*h*).

According to the code of morality prevailing in the age of Socrates—indeed in practice in every age of which history has record—it was incumbent on State and individual alike to requite evil with evil and good with good (*i*). Everywhere men thought that to suffer evil was worse than to do evil. But Socrates rejected such principles of conduct. Plato again and again represents him as enforcing on his hearers views that were entirely

(*f*) Xen., *Mem.* ii. 6. 13.
(*g*) ii. 6. 18, 19.
(*h*) ii. 6. 22–23.
(*i*) Cf. Plato, *Repub.* i. 335 a.

contrary to the opinion and practice of the many. Socrates would reason thus: To injure, say, a horse or a dog, is to cause them to deteriorate in the good qualities proper to them. Similarly, to injure a man is to make him worse in respect of the good qualities proper to him, that is, human excellence or virtue. But to make anyone worse in this way is not the act of a good man. Hence the good man never intentionally injures anyone, whether friend or enemy (*k*). Accordingly, the good man when injured will not injure in return; because to do so, which is the morality of the multitude, is an evil, and to do evil is inconsistent with being a good man. Therefore, "one ought not to retaliate or render evil for evil to anyone, whatever evil we may have suffered from him" (*l*), notwithstanding the general opinion, and irrespectively of all consequences (*m*). Injustice is always an evil and a dishonour to him who acts unjustly (*n*). To do injustice or evil is always worse than to suffer injustice or evil (*o*). Indeed, "no evil can happen to a good man either in life or after death" (*p*). Thus virtue is its own reward. "Virtue is free, and as a man honours or dishonours her he will have more or less of her" (*q*).

Conformably to such noble principles Socrates regulated his own life; and Xenophon emphasises that "he never hurt a single soul either by deprivation of good or infliction of evil, nor did he ever lie under the imputation of any of those misdoings" (*r*). For the same reason he declared, after his condemnation, that he was not angry either with his accusers or with the judges who sentenced him to death; but that, as they did not mean to do him any good, he might gently blame them (*s*).

Socrates, holding that all virtues—courage, piety, temperance, justice, etc.—are forms of virtue and therefore one, necessarily considered happiness (εὐδαιμονία) as being bound up with virtue. Now happiness is found only in the health of the soul; but it is virtue that imparts health to the soul; and as knowledge engenders virtue, therefore happiness depends on knowledge. Thus knowledge, goodness, and happiness are inseparably bound up with each other (*t*). Again, happiness is gained only by the

(*k*) *Repub.* i. 334 b–335; *Crito*, 49 a.
(*l*) *Crito*, 49 c, d.
(*m*) *Crito*, 49 b.
(*n*) *Ibid.*
(*o*) *Gorgias*, 473 b.
(*p*) *Apol.* 41 d.
(*q*) *Repub.* x. 617 e.
(*r*) *Mem.* i. 2. 63.
(*s*) *Apol.* 41 d.
(*t*) Plato, *Charm.* 173 c *seq.*

right use of the things of life, but the right use of them is given by knowledge (*u*).

Thus, to say that knowledge is virtue ceases to be a paradox, in the light of Plato's and Xenophon's exposition of the Socratic teaching, and becomes indeed the formulation of an ideal. "It is, in effect, an exhortation to inward unity; all the different elements of the soul are to be brought into harmony with reason" (*x*).

The above brief treatment of the essence of the Socratic moral philosophy shows that it implies three main principles or springs (*y*): first, an intellectual scepticism, involving a demand for rational examination, but reason having reached its limits a new ground is necessary; secondly, a spiritual affirmation, involving the view that morality ultimately depends on a super-rational intuition; thirdly, a belief that knowledge and virtue are identical, a belief that is based on this super-rational intuition and is vitalised and supported by reasoned experience (*z*). We may perhaps say, as Aristotle puts it, that the dominant conception of Socrates was the indefeasible union of theoretical insight with practical moral excellence (*a*).

These principles, together with the reasoning of Socrates, apply equally to his political doctrines and to his religious views.

(ii.) POLITICAL DOCTRINES

In regard to political doctrines it is even more difficult than in the case of the moral doctrines to draw a line of demarcation between those that were advanced by Socrates and those that were developed by Plato. But here as elsewhere there appears no reason for doubting that the fundamental views were maintained by Socrates himself. To such, accordingly, shall we strictly confine ourselves.

The distinctive excellence as well as the shortcomings of Socrates' treatment of morality, with its identification of know-

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(*u*) *Euthyd.* 282 a.

(*x*) Adam, *op. cit.*, p. 332.

(*y*) Cf. More, *Platonism*, p. 2.

(*z*) These three principles remind us of the three principles laid down by Pascal in his Christian philosophy: "Il faut savoir douter où il faut, assurer où il faut, et se [soumettre] où il faut." This statement was a later form of the following: "Il faut avoir ces trois qualités, pyrrhonien, géomètre, Chrétien soumis; et elles s'accordent, et se tempèrent, en doutant où il faut, en assurant où il faut, et en se soumettant."—*Pensées*, ed. L. Brunschvicg (Paris, 1904) vol. ii., p. 196 (pensée 268).

(*a*) *Eth. Nicom.* vi. 13: *Σωκράτης φρονήσεις ἔφετο εἶναι πάσας τὰς ἀρετάς . . . λόγου τὰς ἀρετὰς ἔφετο εἶναι· ἐπιστήμας γὰρ εἶναι πάσας.*

ledge and virtue, can be discerned also in his treatment of politics; inevitably so, because morality and politics are regarded by him as analogous and inseparable branches of human knowledge. A certain abstract idealisation and an uncompromising attitude in the treatment of human affairs are of course drawbacks in the eyes of those who demand systems that are readily and easily workable. After all, we understand the real and the practicable better, we see the advantages and defects of existing or proposed institutions more clearly, when we consider them in relation to an ideal presentment based on reasoned principles, even though such ideal is, admittedly, very difficult if not impossible of realisation by men such as they are, and in a world such as it is. Hence such exposition of doctrines as is presented to us by Socrates, Plato, and other clear-minded and enthusiastic idealists is of incalculable value to men seeking the best and groping about to find their true orientation; indeed, dispassionate reflection on such ideals and sympathetic efforts to apply them, however approximately it may be, conduce to alter men from what they are and the world from what it is, and so make for salutary progress.

Socrates at once connects politics with morality. Just as, in regard to the latter, the life of the individual is inseparable from the life of the community, so, in regard to the former, the individual citizen is inseparable from the State. The State was established because no man is self-sufficient.

"A State . . . arises . . . out of the needs of mankind; no one is self-sufficing, but all of us have many wants. . . . As we have many wants, and many persons are needed to supply them, one takes a helper for one purpose and another for another; and when these partners and helpers are gathered together in one habitation the body of inhabitants is termed a State. And they exchange with one another, and one gives, and another receives, under the idea that the exchange will be for their good" (*b*).

In the view of Socrates none of the contemporary or preceding Athenian rulers and statesmen possessed the necessary knowledge and competence for their tasks. He had apparently the same contempt for politicians who, in his opinion, falsely pretended to be conversant with the science and art of statesmanship, as he had for the Sophists and others who, in his opinion, falsely pretended to possess knowledge and virtue in their own respective spheres. He firmly and persistently disputed the eulogies (for

(*b*) *Remub.* ii. 369 b.

example, in the funeral oration of Pericles) pronounced on Athenian government by prejudiced, self-complacent, and uncritical partisans. He maintained that not one statesman, past or present, fulfilled his vocation well (*c*). Former statesmen were perhaps better than the existing ones in providing ships, walls, docks, etc.; but as to making citizens better they were no improvment on their successors (*d*). All Governments alike were given to haphazard proceedings, instead of conforming to thoroughly examined principles; they disregarded or connived at the commission or countenance of wrongs; they did not understand the difference between guidance and intolerance; they neglected their great and inalienable task—*viz.*, provision for proper public education.

It is strange, thinks Socrates, that everyone believes himself competent to meddle with politics and government.

"... When we are met together in the assembly, and the matter in hand relates to building, the builders are summoned as advisers; when the question is one of ship-building, then the ship-wrights; and the like of other arts which they think capable of being taught and learned. And if some person offers to give them advice who is not supposed by them to have any skill in the art ... they will not listen to him, but laugh and hoot at him, until either he is clamoured down and retires of himself; or if he persist, he is dragged away or put out by the constables at the command of the prytanes. This is their way of behaving about professors of the arts. But when the question is an affair of State, then everybody is free to have a say—carpenter, tinker, cobbler, sailor, passenger; rich and poor, high and low—anyone who likes gets up, and no one reproaches him, as in the former case, with not having learned, and having no teacher, and yet giving advice. ..." (*e*).

The politicians and men at the helm of the State are usually empirical adventurers lacking true knowledge. Xenophon makes Socrates say (an observation that has already been quoted in a previous chapter): "Of all impostors he surely is the biggest who can delude people into thinking that he is fit to lead the State, when all the while he is a worthless creature" (*f*).

Socrates is represented as castigating the clamant mob, as a

(*c*) *Gorgias*, 517, 519; 1 *Alcib.* 119, 122.
(*d*) *Gorgias*, 517 b.
(*e*) *Protag.* 319 b–e.
(*f*) *Mem.* i. 7. 5.

many-headed monster, ignorant, arbitrary, undisciplined, which tends to become the prey of unconscionable demagogues and hypocritical flatterers (*g*). Its participation in politics is therefore disastrous; for politics needs apt and full knowledge, and authority properly belongs only to the ἐπιστάμενος, to him who possesses this knowledge.

The grand principle of the unity of knowledge and virtue is applied here too. Morality is right knowledge arrived at by the instrumentality of dialectic for the regulation of individual life; it is the science and art of self-government on the part of the individual. Politics is public morality—private morality writ large—similarly arrived at for the regulation of the life and activities of the body politic. Public government is private management and economy on a large scale—for a State is like a large family (*h*). Both Plato and Xenophon emphasise this view of Socrates.

" . . . The difference between the conduct of private affairs and that of affairs of State is merely one of magnitude. For the rest the parallel holds good, and notably in this respect, that both are concerned with men, and men, moreover, are of one type and nature, whether in regard to public affairs or the administration of private property. To fare well in either case is given to those who know how to deal with mankind, whilst those who do not know will assuredly err in the management of both " (*i*).

Governments vary as the characters of men vary; States are not made of " oak and rock " (*k*).

The guidance of the State is to be assumed only by those possessing the right knowledge and character.

" . . . Neither the uneducated and uninformed of the truth, nor yet those who never make an end of their education, will be able ministers of State; not the former, because they have no single aim of duty which is the rule of all their actions, private as well as public; nor the latter, because they will not act at all except upon compulsion, fancying that they are already dwelling apart in the islands of the blest " (*l*).

Xenophon, in his more practical way, thus represents Socrates as enforcing the supreme need for knowledge:

" Do you not see (he is supposed to be addressing Glaucon,

(*g*) Cf. *Repub.* vi. 494, 496; viii. 558 b, 564 *seq.*
(*h*) *Repub.* v. 463.
(*i*) Xen., *Mem.* iii. 4. 12.
(*k*) *Repub.* viii. 544 d; ix. 577.
(*l*) *Repub.* vii. 519 c.

Plato's brother), "how dangerous it is for a man to speak or undertake beyond the range of his knowledge? . . . If therefore you desire to gain repute and esteem (as a statesman) try to succeed in gaining a knowledge as far as in you lies of what you wish to do . . ." (*m*).

Right knowledge—wisdom, with the power of reasoning—if it is found in individuals at all, is found only in the few. Hence the functions of government are to be performed by the wisest and ablest few. Thus Socrates' leaning was, on the whole, towards aristocracy rather than towards democracy, the disadvantages and dangers of which far outweigh its advantages. "They are not kings or rulers (he said) who hold the sceptre merely, or are chosen by fellows out of the street (*n*), or are appointed by lot, or have stepped into office by violence or by fraud; but those who have the special knowledge how to rule" (*o*). Good counsel comes only from perfect guardians, who form a small minority (*p*); and failing these it will never go well with States and Governments and peoples.

"Until philosophers (*q*) are kings, or the kings and princes of this world have the spirit and power of philosophy, and political greatness and wisdom meet in one, and those commoner natures who pursue either to the exclusion of the other are compelled to stand aside, cities will never have rest from their evils—no, nor the human race, as I believe—and then only will this our State have a possibility of life and behold the light of day" (*r*).

Further, those who have the capacity and aptitude are under an obligation to perform these functions of government (*s*). Xenophon depicts a conversation between Socrates and Charmides (the Charmides of Plato's dialogues and uncle of Plato), in which Socrates says that Charmides should enter public life, because he has the ability for it, and Charmides answers that he is too bashful and timid for engaging in public activities.

"While you feel no such bashfulness and timidity before the wisest and the most powerful," retorts Socrates, "you are

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(*m*) *Mem.* iii. 6. 16–18.

(*n*) That is to say, as Dakyns aptly comments, by Tom, Dick, and Harry.

(*o*) Xen., *Mem.* iii. 9. 11. Cf. i. 2. 9; iii. 5. 21; iii. 6; iv. 2; Plato, *Apol.* 31 e; *Repub.* iv. 428 d *seq.*; vi. 496 c.

(*p*) *Repub.* iv. 428 d.

(*q*) The Socratic meaning of this word has already been indicated.

(*r*) *Repub.* v. 473 c. Cf. vi. 488: the parable of the ship—the noble captain who is a little deaf, short-sighted, and of slight knowledge in navigation (the people in their better mind); the mutinous crew (the crowd of politicians); and the pilot (the true guide). Cf. also vii. 540.

(*s*) *Repub.* vii. 520 a.

ashamed to speak in the presence of the most foolish and the feeblest. Is it the fullers among them of whom you stand in awe, or the cobblers, or the carpenters, or the coppersmiths, or the merchants, or the hucksters of the market-place, considering what they are to buy cheap and sell dear—is it before these you are ashamed ? For these are the kind of individuals of whom the Assembly is composed ? " (*t*).

Indeed, the best and the ablest will be compelled to assume the reins of government, in their own interest as well as in that of the people at large.

We shall see later (in our discussion of the causes of the hostility that had arisen against Socrates) that his logical championship of government by a wise and able aristocracy was perversely interpreted by his opponents as being an advocacy of arbitrary tyranny.

(iii.) RELIGIOUS DOCTRINES (*u*)

To separate the religious doctrines of Socrates from those of Plato is even more difficult than to separate their moral doctrines. Here, as before, the safest course is to attribute to Socrates only fundamental notions, especially such as are confirmed by Xenophon.

We have already noted Socrates' respect for the State religion, his sacrificial offerings, his worship of the national deities, especially Apollo, the god of Delphi, the sun, and the moon, his conception of his divine mission, his consecration to it under the sanction and protection of the deity. But he rejected much of the popular mythology, on the ground that it was a distortion or degeneration of religious belief and worship. We have already seen (*x*) that such scepticism and denial was fast gaining ground in Athens in the middle of the fifth century ; and Socrates' attitude in this respect was the attitude of many contemporary thinkers and philosophical predecessors, and even of large sections of the population generally. It may be said, then, that he was neither an atheist nor an orthodox believer. There was, apparently, a certain element of mysticism in his nature. The details of his theological belief, however, it is impossible to state with certainty ; but we have sufficient reliable evidence to show us the

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(*t*) Xen., *Mem.* iii. 7. 5–6.

(*u*) In order to avoid repetition as much as possible this part of the chapter is intended to be complementary to chaps. xiv. and xv., which deal with the charge of impiety against Socrates.

(*x*) See chap. i.

views he held on several of the most important matters of religion, for example, the nature of God and his relation to man, the design of Nature and its bearing on divine purpose, benevolence, and providence, the object of worship and prayer, the office of oracles and divination, the meaning of piety, the immortality of the soul.

Socrates believed that the harmony of Nature, its infinite beauty, variety, and utility, and the regular sequence of natural phenomena, the seasons, the earth's fruitfulness, also the structure of the human body, the existence of man's instincts and faculties, were not due to accident, but evidenced an intelligent design on the part of a supreme artificer. The entire plan of nature manifested the Creator's purpose, and showed his providential care for man's well-being, and an adaptation of means to ends. Xenophon tells us that he once heard a discussion between Socrates and Aristodemus on the subject of divinity, and he gives an account of a fairly elaborate teleological argument. Socrates spoke to this effect:

"Does it not strike you then that he who made man from the beginning did for some useful end furnish him with his several senses—giving him eyes to behold the visible world, and ears to catch the intonation of sound? Or again, what good would there be in odours if nostrils had not been bestowed upon us? What perception of sweet things and pungent, and of all the pleasures of the palate, had not a tongue been fashioned in us as an interpreter of the same?"

Again, foresight, design, intelligence are manifest in the structure of the rest of the body, showing an adaptation of means to ends. On this and the orderly arrangement of everything round about us are "the handiwork of some wise artificer, full of love for all things living." The perpetuation of the race, the love of parents for their children, the desire of life, and the fear of death are the "contrivances of some one deliberately planning the existence of living creatures." The soul and intelligence given to man, his power of prevision, satisfaction of wants, garnering of possessions, intellectual as well as material—all these things show that the gods care for man. ". . . Even as your own mind within you can turn and dispose of your body as it lists, so ought we to think that the wisdom which abides within the universal frame does so dispose of all things as it finds agreeable to itself . . . ." (*y*).

Similarly, Plato makes Socrates say that every good that man

(*y*) *Mem.* i. 4; cf. also iv. 3.

enjoys is the gift of the gods (*z*) (which reminds us of the observation of St. James (*a*) : " Every good gift and every perfect gift is from above ").

The indebtedness of man to the supreme creator was emphasised by Socrates, and he never neglected an opportunity of testifying to divine benevolence, and enforcing the duty of showing gratitude to God.

" You will discover for yourself " (Socrates said, as reported by Xenophon) " the truth of what I say, if, without expecting to see the outward forms of the gods themselves, you will be content to worship and honour them, as you behold their works . . . Though they all bestow blessings on us, yet in doing so they do not come visibly before us. And he who orders and holds together the whole universe in which are all things beautiful and good, who preserves it always unimpaired, free from all disorder and decay, so that swifter than thought it obeys his will unerringly,—he is himself seen to perform his mightiest works, but in their actual administration is invisible to mortal eye " (*b*).

Hence, concluded Socrates—a conclusion he invariably enforced on his hearers—it is man's duty to show gratitude to the gods, to honour them, and to perform appropriate acts of service. " I assure you, Socrates (observed Aristodemus), that I do not disdain the gods ; on the contrary, I regard them as too exalted to need any service that I can render." Whereupon Socrates answered : " But the more exalted they are, who deign to tend and wait upon you, the more are you called upon to honour them " (*c*). " It is by acts of service and of kindness to men that you discover those who are willing to requite you in kind. It is by asking counsel of men that you discover who are wise. If, in like manner, you will but make trial of the gods by acts of service, whether they will counsel you in matters obscure to mortal ken, you will then discover the nature and the greatness of the gods to be such that they are able to see all things and to hear all things at once, to be present everywhere, and at the same time to have a care for all things " (*d*).

The object of worship is to show gratitude and honour to the gods, not to gain their favour or avert their wrath ; and Socrates

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(*z*) *Euthyph.* 14 e–15 a.
(*a*) i. 17.
(*b*) *Mem.* iv. 3. 13.
(*c*) *Mem.* i. 4. 10.
(*d*) *Mem.* i. 4. 18.

urged simplicity in worship and conformity to the established laws of the State, as regards outward forms and ceremonies.

" . . . You know what answer the god at Delphi makes to each one who comes asking 'how shall I return thanks to Heaven?' —'According to the law and custom of your city'; and this, I presume, is law and custom everywhere that a man should please the gods with offerings according to the ability which is in him" (*e*). Socrates himself followed this oracular direction and exhorted others to do the same, "holding them to be but busybodies and vain fellows who acted on any different principle" (*f*).

To the mind of Socrates it was not elaborate and extravagant ceremonial, but the spirit of worship that mattered most (*g*).

"If with scant means he offered but small sacrifices he believed that his merit was not at all inferior to that of others who offered frequent and large sacrifices from an ampler store. . . . He believed that the gods had most pleasure in the offerings of the most pious; and he was ever an admirer of the verse,

'According to thine ability do sacrifice to the immortal gods' (*h*).

He used to say that, in our dealings with friends and strangers alike, and in all relationships of life, there was no better principle for us than to act according to our ability" (*i*).

The outward act of worship, thought Socrates, should give expression to inward prayer (*k*). Of the function and object of prayer Socrates conceived a lofty ideal, simple as it was, which was far in advance not only of his contemporaries but also of religious worshippers of to-day. One who prays, he held, should ask the gods for wisdom and virtue, without specifying any other particular thing; because the gods know what to bestow.

"His formula of prayer was simple: 'Give me that which is best for me,' for, said he, the gods know best what good things are—to pray for gold or silver or despotic power were no better than to make some particular throw at dice or stake in battle or any such thing the subject of prayer, of which the future consequences are manifestly uncertain" (*l*).

Socrates is represented as quoting with approval the following

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(*e*) *Mem.* iv. 3. 15. Cf. i. 3. 1. See *Anab.* iii. 2. 9.
(*f*) *Mem.* i. 3. 1.
(*g*) Cf. II. *Alcib.* 148, 149. (This dialogue is not considered Plato's, but its evidentiary value for this purpose is not necessarily destroyed.)
(*h*) Hesiod, *Works and Days*, 336.
(*i*) *Mem.* i. 3. 3.
(*k*) II. *Alcib.* 149, 150.
(*l*) *Mem.* i. 3. 2. Cf. Plato, *Laws*, iii. 687 e.

prayer : " O sovereign Zeus, grant us what is good whether we pray for it or not ; and avert evil from us even if we pray for it " (*m*). Moreover, Socrates believed that men should not trouble the gods and the interpreters of their will about such things as men themselves had the means of ascertaining and the power of doing (*n*). But when men's wisdom was wanting and their power was inadequate, oracles should be resorted to and the art of divination exercised (*o*). It was not the mere flight of the bird, the chance meeting, the victim's entrails that determined the omen ; it was rather, thought Socrates, the gods who vouchsafed by such instruments to communicate their will and their warnings to us (*p*). He denounced the folly of those " who do things contrary to the warnings of God in order to avoid some disrepute among men " (*q*).

Piety or holiness, which implies man's right thought and conduct with regard to the gods, is considered by Socrates to be part of " justice," and is added by him to the four cardinal virtues so frequently mentioned by him, namely, knowledge (or wisdom), justice, temperance, and courage (*r*)—all these being species or particular applications of the fundamental knowledge—virtue. The pious man knows the right worship and prayer ; but a multitude of sacrificial offerings, prayers, and ceremonies is, in the absence of a pure heart, unpleasing to the deity. The holy or pious man is not holy or pious because he is pleasing to the gods but he is pleasing to the gods because he is holy or pious (*s*). This doctrine, which raises hope and encourages effort, reminds us of the diametrically opposed view of Calvin, who justifies his hopeless and petrifying doctrine of predestination by " the supreme, absolute, and impenetrable will of God " ; " We must not say that God wishes a thing because it is just, but that it is just because He wishes it."

We come now to Socrates' conception of God. Though he frequently speaks of " the gods " (*t*), that is to say, those of the prevailing faith, he recognised the oneness of God. God is the Supreme Reason, Intelligence, or Mind of the universe, and

(*m*) II. *Alcib.* 143 a.
(*n*) Xen., *Mem.* i. 1. 6.
(*o*) *Mem.* iv. 7. 10. Cf. Plato, *Apol.* 21 b.
(*p*) *Mem.* i. 1. 3.
(*q*) *Mem.* i. 3. 4.
(*r*) Cf. Plato, *Phaedo*, 69 b ; *Protag.* 330 b, 331 b *seq.*
(*s*) *Euthyph.* 10 d *seq.*
(*t*) See, for example, Xen., *Mem.* i. 1. 19 ; i. 3. 3 ; i. 4. 11 ; iv. 3. 3 ; iv. 3. 16, etc. ; Plato, *Euthyph.* 6 a, 13 c *seq.* ; *Cratyl.* 400 e ; *Phaedr.* 246 a ; *Phaedo*, 117 c ; *Apol.* 26 b ; *Repub.* 378 b ; etc.

therefore is He omniscient and omnipotent; and He is present everywhere, though He is invisible (*u*). What the human mind or soul is to the human body, God is to the universe. He has created and controls and directs all things. " . . . Even as your own mind within you can turn and dispose of your body as it lists, so ought we to think that the wisdom which abides within the universal frame does so dispose of all things as it finds agreeable to itself " (*x*). This view of Socrates was not, of course, a novel one; it was foreshadowed in more or less different forms by such poets as Pindar, Aeschylus, and Sophocles, and clearly expressed by several philosophers. Thus Xenophanes spoke of the World-God as " ruling all things by the purpose of his mind "; the Logos of Heraclitus was described as divine, being omnipresent and rational; for Anaxagoras *Nous* (mind, intelligence, reason) was the ultimate cause of the world-order (*y*). Socrates' conception of the supreme deity was probably a deistic-teleological one, rather than a pantheistic (as in the case of Xenophanes); for the former view would be more compatible with " the sobriety of thought and utilitarian leanings of Socrates " (*z*).

Moreover, Socrates believed that God was also omnibenevolent. As He is the very essence of good, He sends man no evil fortune, but only blessings and success. He never changes: He is " one and the same immutably fixed in his own proper image "; He cannot change for the better and will not change for the worse (*a*).

The question of Socrates' belief in the immortality of the soul is a more difficult one. With the exception of the Orphic and Pythagorean devotees few Athenians had a definite belief in, or conception of, immortality. We find, for example, nothing in Aeschylus or Sophocles indicating that these noble writers had such faith, and the verse of Euripides, " who knows if life be death and death be life ? " (*b*) was derided by Aristophanes as an expression of a feeling that was alien to his own mind and to the minds of his countrymen. The prevailing view at the time of Socrates was, not that death was or might well be an escape to a blessed life in another world, but that it was a release from earthly trouble and pain; and that the souls of the departed had a kind of shadowy existence inspiring men with little hope and consola-

(*u*) Cf. Xen., *Mem.* i. 4. 8 *seq.*; i. 4. 17.
(*x*) Xen., *Mem.* i. 4. 16; cf. *Repub.* x. 596 c; *Sophist*, 265 c.
(*y*) Cf. Adam, *op. cit.*, p. 255.
(*z*) See Gomperz, *loc. cit.*, p. 89.
(*a*) *Repub.* ii. 379 b *seq.*
(*b*) Frag. 11: Τίς δ'οἶδεν, εἰ ξῆν τοῦθ' ὃ κέκληται θανεῖν,
τὸ ξῆν δὲ θνήσκειν ἐστι:

tion (*c*). Though we have no explicit historical record on this point, we may safely assume that Socrates gave some consideration to the problem. As Jowett remarks: "It may be fairly urged that the greatest religious interest of mankind could not have been wholly ignored by one who passed his life in fulfilling the commands of an oracle, and who recognised a Divine plan in man and nature" (*d*).

In the *Apology* Socrates is represented, after his condemnation, as addressing some final observations to those of his judges who voted for death, and then to those who voted for acquittal. To the former he prophesied that other men, younger and sterner than himself, would arise soon after his death to censure their evil lives. To the latter he discoursed on death; he expressed his conviction that what had happened to him was a good, that death was not an evil (*e*); and he went on to say that death was either annihilation or a passing away to another life.

"Let us reflect in another way, and we shall see that there is great reason to hope that death is a good; for one of two things —either death is a state of nothingness and utter unconsciousness, or, as men say, there is a change and migration of the soul from this world to another. Now if you suppose that there is no consciousness, but a sleep like the sleep of him who is undisturbed even by the sight of dreams, death will be an unspeakable gain. For if a person were to select the night in which his sleep was undisturbed even by dreams, and were to compare with this the other days and nights of his life, and then were to tell us how many days and nights he had passed in the course of his life better and more pleasantly than this one, I think that any man, I will not say a private man, but even the great King (*ee*) will not find many such days or nights, when compared with the others. Now if death be of such a nature, I say that to die is gain; for eternity is then only a single night. But if death is the journey to another place, and there, as men say, all the dead abide, what good, O my friends and judges, can be greater than this? If indeed when the pilgrim arrives in the world below, he is delivered from the professors of justice in this world, and finds the true judges who are said to give judgment there, Minos and Rhadamanthus and

(*c*) See on the whole subject, E. Rohde, *Psyche: Seelencult und Unsterblichkeitsglaube der Griechen*, 2 Bde. (Tübingen, 1907); Eng. trans., *Psyche* (London, 1925).

(*d*) *The Dialogues of Plato*, 5 vols. (Oxford, 1892), vol. ii., p. 191 (Introduction to the *Phaedo*).

(*e*) *Apol.* 40 c.

(*ee*) *I.e.* of Persia.

Aeacus and Triptolemus, and other sons of God who were righteous in their own life, that pilgrimage will be worth making. What would not a man give if he might converse with Orpheus and Musaeus and Hesiod and Homer? Nay, if this be true, let me die again and again. I myself, too, shall have a wonderful interest in there meeting and conversing with Palamedes, and Ajax the son of Telamon, and any other ancient hero who has suffered death through an unjust judgment; and there will be no small pleasure, as I think, in comparing my own sufferings with theirs. Above all, I shall then be able to continue my search into true and false knowledge; as in this world, so also in the next; and I shall find out who is wise, and who pretends to be wise, and is not. What would not a man give, O judges, to be able to examine the leader of the great Trojan expedition; or Odysseus or Sisyphus, or numberless others, men and women too! What infinite delight would there be in conversing with them and asking them questions! In another world they do not put a man to death for asking questions; assuredly not, for besides being happier than we are, they will be immortal, if what is said is true.

"Wherefore, O judges, be of good cheer about death, and know of a certainty that no evil can happen to a good man, either in life or after death. He and his are not neglected by the gods; nor has my own approaching end happened by mere chance. But I see clearly that the time had arrived when it was better for me to die and be released from trouble; wherefore the oracle gave no sign. . . .

"The hour of departure has arrived, and we go our ways—I to die, and you to live. Which is better God only knows" (*f*).

That the foregoing is a beautiful and moving passage no one will dispute. But what has been disputed is whether it definitely expresses a belief on the part of Socrates in the immortality of the soul. Some writers hold that the passage does not justify an affirmative conclusion, and that it is in conflict with the passages of the *Phaedo* wherein Socrates is made not only to express emphatically his belief in immortality, but also to prove it by a series of closely knitted philosophical arguments. Hence it is inferred that whilst the Platonic Socrates in the *Apology* may well represent the historical Socrates, the Platonic Socrates in the *Phaedo* does not stand for the real Socrates. Other writers main-

(*f*) *Apol.* 40 c–42 a.

tain, on the contrary, that the cited passage of the *Apology* does warrant our saying that Socrates had a definite belief in immortality. For example, Professor Burnet, who belongs to this class of writers, remarks: "I can only ask anyone who holds this view [that Socrates had no fixed belief in immortality] to read the passage aloud and see what effect it makes upon him" (*g*).

No doubt many people have lovingly fulfilled this test, not only by reading aloud the short passage in question, but also by reading aloud more than once the whole of the magnificent and inspiring *Apology*, and have revelled in the beauty and nobility of the composition and wondered at the beauty and nobility of Socrates' demeanour in the face of death. We are bound to say, however, that, speaking strictly, the passage does not convey to us the conclusion that Socrates had a fixed belief in immortality (*h*). In reading the passage we are, to be sure, struck by the splendour of its language, by its captivating discourse; we admire the self-possession, the fortitude, the equanimity of the speaker, his complete reconciliation to his final departure, the consolatory attitude to his acquitting judges, his gentle bearing towards his condemning judges, above all his intrepidity and even seeming indifference in regard to the fate that may befall him after death—and so we tend, in our susceptibility to the pathos of the situation and our awareness of the imperturbability of Socrates, to infer tacitly or to assume that he is gaining strength from a belief that death is after all but the avenue to another and more glorious life.

What is heartening him, however, is on the one hand his consciousness that he has carried out his duty in life sincerely and disinterestedly and in conformity with the divine will, and on the other hand his conviction that *if* there is another life evil cannot there befall one who has so acquitted himself in this life. He states that death is either annihilation or a passage to another

(*g*) *Greek Philosophy*, p. 182. Professor Taylor, *Plato* (London, 1926), p. 167, describes as "absurd" the opinion of many nineteenth-century writers, who hold that Socrates did not make plain his belief in a future life; and he supports his own view by referring to Socrates' allusions to Hesiod, Musaeus, Orpheus and the Orphic judges of the dead. These allusions are regarded as having been made in perfect seriousness and with a full conviction that Hesiod and the rest were living in the next world. But this looks like begging the question, for Socrates explicitly says, "if these things are true"—εἰ ταῦτ' ἔστιν ἀληθῆ (*Apol.* 41 a). Moreover, whilst Mr. Taylor chooses to regard such allusions as seriously made, he thinks that the proposal of a small penalty was made in a "whimsical mood" (p. 166). But it was imperatively demanded by the Socratic logic, and was made by Socrates conformably to his fearless consistency.

(*h*) Cf. E. Rohde, *Psyche* (Tübingen, 1907), 2 vols.; vol. ii., p. 263; Eng. trans. *Psyche* (London, 1925), p. 463. He holds that Socrates shows little anticipation in the *Apology* of the immortal life of the soul.

life ; he mentions the advantages and consolations of each alternative, and says that either the one or the other is accordingly desirable ; but he does not thereby commit himself definitely to the statement of a belief in either. He is careful to use such significantly qualifying expressions as " if this is true " (εἰ ταῦτ' ἔστιν ἀληθῆ), " as men say " (κατὰ τὰ λεγόμενα), and the like. Further, to say that " no evil can happen to a good man, either in life or after death " is not necessarily an expression of belief that there *is* life after death. To say that " he and his are not neglected by the gods " is not necessarily equivalent to saying that after death the gods will watch over such a man in another life. It has been suggested, on the contrary, that Socrates' final words—" we go our ways, I to die and you to live ; which is better God only knows "—indicate an avowal of disbelief in immortality. But such a conclusion is clearly false. Socrates simply says that only God knows which of the two states is the better ; he does not say—nor do his words imply—that God alone knows whether his soul will survive after his death.

Thus the only express meaning that can be attached to this portion of Socrates' speech is that virtue is its own reward, and that it is best to follow the path of virtue in life, even in the face of death ; and that *if* there is another life, as there *may* be, the virtuous man will be happy there. Nevertheless, though the passage does not prove that Socrates believed in immortality, it does not prove either that he believed in annihilation. It leaves the question open ; and therefore this part of the *Apology* is not necessarily incompatible with the *Phaedo*, though it is different from it.

The fact is that the purpose of the one is not the same as the purpose of the other ; and in view of this difference reasons have been advanced to explain Socrates' reticence in the one case and outspokenness in the other. In the *Apology* Socrates is represented as speaking in his defence against certain specified charges. Obviously he did not desire on such an occasion to make unnecessary digressions, and introduce an elaborate profession of faith ; above all he did not wish to thrust before a large assembly of jurors (most of the five hundred being hostile to him), together with a miscellaneous gathering of spectators, beliefs (savouring of Orphicism and Pythagoreanism) that would be repugnant to an unsympathetic majority, and would intensify the prejudice against his friends and disciples at a time when feeling ran high against him, his work, and his associates. And so, if he then believed in

immortality, he may perhaps have treated the suspected faith with tactful reserve and only touched on it lightly (*i*).

Now such reserve was clearly unnecessary when Socrates was on the last day surrounded by a few faithful and heartbroken followers who sought consolation themselves (*k*). It seemed as though they were departing from him, not he from them ; so that he endeavoured to assure them of his conviction that there is another life, and emphasised that, conformably to his customary teaching, the pursuit of virtue in this life is the best preparation for the next. We have seen that Socrates believed in a supreme deity, in his oneness, wisdom and benevolence ; that he held that the perfectly ordered universe was his handiwork, and that there was a progress of mankind towards perfection. Starting then with such a conception of God and the universe, and bearing in mind Socrates' teleological point of view, we need not wonder that Plato portrayed him as preoccupied at the end with the great question of immortality. We cannot say, however, that Socrates made use of the arguments which Plato attributed to him—for it was Plato who was the expounder of the doctrine of ideas and the fashioner of an elaborate systematic metaphysic. Hence it were useless to attempt to separate sharply the views of Socrates from those of Plato. But me may safely venture to hold that their views, as set forth in various dialogues of Plato, coincided in fundamental particulars. Plato certainly and Socrates probably believed that death was not an annihilation of the soul, but its emancipation from the importunate concerns of earthly existence ; not a descent into external darkness, but a translation to a larger and freer abode of light.

If corroboration of this conclusion as to Socrates' belief in immortality be necessary, we can find it to a certain extent in Xenophon. The *Memorabilia* appears to be silent on the point, though there are one or two suggestions showing that Xenophon recognised Socrates' faith in immortality—for example, when he makes Socrates say that the soul of man partakes of the divine nature (*l*), implying that there is an inseparable kinship between the divine being and the human soul. A belief in such kinship is

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(*i*) Cf. Burnet, *ibid.* See also *infra*, chaps. xiv. and xv., on the charge of impiety.

(*k*) It may well be, however, that by dint of prolonged reflection during the considerable interval between the trial and his last conversation he attained to the belief, which he had not definitely held before. The question is an open one, but the present writer's impression is indicated, *infra*, Chap. XIX.

(*l*) *Mem.* iv. 3. 14.

a strong enough foundation for basing on it the larger conclusion. In the *Cyropaedia* (*m*), however, Xenophon puts into the mouth of the dying Cyrus, words that supply a parallel to certain passages in the *Phaedo*.

"By our father's gods I implore you, my sons, honour one another, if you care at all to do what is acceptable to me. For to be sure, this one thing, it seems to me, you do not know for certain —that I shall no longer exist when I have ended this earthly life; for not in this life have you seen my soul, but you have discovered its existence by what it effected (*n*). Have you never observed what terror the souls of those who have been foully treated strike into those who have shed their blood, and what avenging deities they send upon the impious offenders? And do you think that the honours paid to the dead would continue, if their souls had no part in any of them? I am sure I do not; nor yet do I feel convinced that the soul is alive only as long as it is contained in a mortal body, and that when it has been separated from it, is dead; for I see that it is the soul that confers life on mortal bodies, as long as it remains in them. Neither have I convinced myself that the soul will be devoid of intelligence when it is separated from the unintelligent body; but when the spirit is set free, pure and uncontaminated, then it is likely to be most intelligent. And when man is resolved into his primal elements every part returns to that which is of a kindred nature, except the soul, which alone cannot be seen, either when present or when departing. Reflect too that there is nothing that resembles more closely the death of man than sleep; but it is in sleep that the soul of man is revealed in its most divine aspect, and it is then too that it foresees something of the future; for then, it seems, it is most free."

In the *Phaedo* Socrates is also represented as maintaining that the soul of man survives the moment of dissolution, and, liberated from the encumbrances of the body which cause confusion and turmoil and prevent us from seeing the truth, it attains to true knowledge (*o*).

Notwithstanding the above words attributed to Cyrus, his concluding remark (*p*) shows that he does not dogmatise on the question: "I invite all the Persians and our allies to my burial,

(*m*) viii. 7. 17–21.

(*n*) Cf. the parallel in *Mem.* i. 4. 8–9, where Socrates is represented as arguing this with Aristodemus.

(*o*) *Phaedo*, 66–67, 79 b *seq.* See *infra*, chap. xix., as to immortality.

(*p*) *Cyropaedia*, viii. 7. 27.

to joy with me in that I shall henceforth be in security such that no evil can ever again come nigh me, whether I shall be in the divine presence or whether I shall no longer have any being." This is a parallel to the attitude assumed by Socrates at the end of his speech before the court (*q*), but there is one difference: Socrates lays stress on the consequent good, Cyrus on the absence of evil.

Now these sentiments ascribed to Cyrus are undoubtedly Xenophon's own. They are consistent with his recollections of Socrates given in the *Memorabilia*, and they are analogous to views attributed to Socrates by Plato, even though such views were also Plato's. Therefore it is not an unreasonable inference to hold that Plato and Xenophon had heard Socrates reason in the way depicted and express a definite belief in the immortality of the soul. But it is certainly Plato that has represented more fully and precisely the conceptions of his master.

Immortality "stands in the *Phaedo* as the crown and complement of a wise and beautiful life, in the *Republic* as the regulative end and realised idea of life in a perfect state. In the *Symposium* it rewards the inspired devotee of love; in the *Phaedrus* it consummates the pursuit of knowledge and virtue" (*r*).

We may add here that, like the Orphicists and Pythagoreans, but unlike the majority of his fellow-citizens (who thought that suicide was not only lawful but might even be meritorious), Socrates condemned self-slaughter in every case as an unjustifiable and illegitimate act. He maintained that the existence of divine providence necessarily implied man's duty to the gods; but suicide was tantamount to desertion from the post assigned to men, and therefore it involved disloyalty to the gods and rebellion against their will (*s*).

Looking at Socrates' religious doctrines generally we find that, though he recognised various gods, he laid stress on the idea of unity in regard to the supreme godhead, instead of the prevailing notion of multiplicity, the principle of divine harmony instead of the prevailing belief in conflicts between deities, the principle of

(*q*) See *supra*, p. 125.

(*r*) A. M. Fairbairn, in *Contemporary Review*, vol. 20 (1872), p. 401.

(*s*) As to Socrates' discourse on death and immortality of the soul, as well as of the question of suicide, see *infra*, chap. xix. Aristotle considered suicide an offence against the State, which thereby became polluted (*Eth. Nic.* v. 11, 1138 a), whilst Socrates regarded it as an offence against religion as well as against the State; indeed, on every possible ground. The Stoics, the Cynics, and the Cyrenaics allowed it. See A. W. Mair, "Suicide (Greek and Roman)," in *Encyclopædia of Religion and Ethics*, vol. xii. (1921), pp. 26–33; K. A. Geiger, *Der Selbstmord im Klassischen Altertum* (Augsburg, 1888).

divine benevolence, wisdom, and omniscience, instead of the contemporary notion of the hostility of the gods to man, their liability to err, and the possibility of men's eluding their observation. He introduced the universal (τὸ καθόλου) into religion, as he did into his theory of knowledge. He believed that God was present in all beings. He taught that the spirit is more important than the letter, that true piety can exist without elaborate ceremonial, that a man should pray not for this or that but only for the good, that he should have recourse to the gods only for that which is beyond his knowledge and capacity. He believed in the immortality of the soul, without necessarily accepting the creed of Orphicism or Pythagoreanism (*t*). There was, indeed, a vein of mysticism in his nature, allied to "rationalism," and neither element was acceptable to contemporary orthodoxy. Thus his religious doctrines involved various innovations, but throughout it made for righteousness. Xenophon, referring to Socrates' teaching and admonitory observations to those who needed them, proclaims his conviction to the world: "To my mind the effect of words like these was to cause those about him to hold aloof from unholiness, baseness, and injustice, not only whilst they were seen of men, but even in the solitary place, since they must believe that no part of their conduct could escape the eye of Heaven" (*u*).

This brief exposition of the Socratic teaching—intellectual, moral, political, and religious—shows that, though there is an underlying unity in it throughout, and it is all based on first principles considered on examination to be imperative and self-consistent, Socrates had no elaborately ordered system of doctrines to hand down to his successors. Indeed, it was not his intention to provide such a system; and it was very far from his object to expound such a philosophy as results, according to Plato's lofty description, from "a speculation upon all time and all existence" (*x*). Philosophy was, for him, an attitude of life—"a life spent in the active personal pursuit of truth and goodness by the light of one or two great passionate convictions" (*y*). And so far as he might influence his fellow-men, his predominant concern was to train them to think correctly, to work out precise definitions as a sound foundation for the superstructure of increasing

(*t*) See *infra*, chaps. xiv. and xv., on the charge of impiety.
(*u*) *Mem.* i. 4. 19.
(*x*) *Repub.* vi. 486 a: θεωρία παντὸς μὲν χρόνου πάσης δὲ οὐσίας.
(*y*) A. E. Taylor, *Plato: the Man and his Work* (London, 1926), p. 23.

knowledge. For this purpose he supplied them with a powerful instrument—the dialectic method—and taught them how to apply it. It may, in truth, be said that his doctrines generally are but a few results obtained by the sincere and dispassionate application of this method of inquiry. We have, therefore, now to consider it.

CHAPTER VI

THE SOCRATIC METHOD

Πείσας λάβε, μὴ βιασάμενος.
(Bias.)
(Win by persuasion, not by force.)

Σεμνοστόμος γε καὶ φρονήματος πλέως
ὁ μῦθος ἐστιν ὡς θεῶν ὑπηρέτου.
(Aeschylus.)
(Stately of utterance, full of haughtiness
Thy speech, as fits a messenger of gods.)

τοῦ καὶ ἀπὸ γλώσσης μέλιτος γλυκίων ῥέεν αὐδή.
(Homer.)
(And from his tongue flowed words sweeter than honey.)

THE invention of dialectic—examination by a series of connected arguments (*σκέψις ἐν λόγοις*), the method of discussion by means of question and answer—was ascribed by Aristotle to Zeno, who had used it so effectively in his examination of the Pythagorean geometry. It was the questioner (*ὁ ἐρωτῶν*) who controlled or directed the argument for the time being. He put his questions to the other party, the responder (*ὁ ἀποκρινόμενος*), who was expected to answer as concisely as possible, to frame his answers exactly in conformity to the questions and avoid all irrelevant and extrinsic observations not explicitly raised in the questions. The responder, too, was not permitted to take exception to the form of the questions or to make a counter-attack or assume the initiative by putting questions himself, until it was agreed that he should become the questioner.

Such a method of discussion was obviously liable to abuse ; and in the hands of unconscientious or frivolous practitioners it became an eristic of fallacious reasoning, verbal quibbling, and argumentative contortions, sometimes accompanied by exhibitions of effrontery and horse-play. This was the procedure adopted by degenerate Sophists and their hangers-on ; whilst the better class of Sophists concerned themselves neither with dialectic nor eristic, but simply adopted, in their instruction or otherwise in the practice of their profession, a schematic method of so arranging topics of discourse as would probably make a strong appeal to listeners and carry conviction. With Socrates dialectic was

employed, not for the purpose of achieving victory in debate, but in the search for truth; he enlarged the procedure, gave it greater flexibility, removed from it various arbitrary or factitious restrictions that had been gradually imposed on it, and, above all, applied it, unlike Zeno, to the investigation of questions of right and wrong, good and evil, fair and foul. The principles of logic were but little understood at the time, and Socrates did much, by his inquiry into the nature of definitions, to establish the foundations of the art of logical analysis. Aristotle definitely assigns to Socrates the introduction of the method of induction and definition (*a*).

Plato, in his *Euthydemus*, gives a picture of the fallacious eristic in operation, and represents Socrates as exposing and combating it. A modern reader, with all his logical and scientific equipment about him ready to detect inaccuracies in expression and inconsistencies, contradictions, and other fallacies in discourse, may wonder that such indefensible eristic could exist at all; and that a Socrates was needed to combat it. The fact is that despite the great intellectual and artistic attainments of that time, logic had scarcely yet emerged from its rudimentary stage, many of the most elementary things in philosophy and science were not generally understood, and the science of language was in its infancy.

"To appreciate fully the drift of the *Euthydemus*," says Jowett (*b*), "we should imagine a mental state in which not individuals only, but whole schools during more than one generation, were animated by the desire to exclude the conception of rest, and therefore the very word 'this' (*c*) from language; in which the ideas of space, time, matter, motion, were proved to be contradictory and imaginary; in which the nature of qualitative change was a puzzle, and even differences of degree, when applied to abstract notions were not understood; in which there was no analysis of grammar, and mere puns or plays of words received serious attention; in which contradiction itself was denied, and, on the one hand, every predicate was affirmed to be true of every subject, and, on the other, it was held that no predicate was true of any subject, and that nothing was, or was known, or could be spoken. Let us imagine disputes carried on with religious earnest-

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(*a*) *Metaph.* xiii. 4 : τούς τ' ἐπακτικοὺς λόγους καὶ τὸ ὁρίζεσθαι καθόλου.

(*b*) Introduction to the *Euthydemus*, in his *Dialogues of Plato*, vol. i., pp. 199–200.

(*c*) *Theaet.* 183 c.

ness and more than scholastic subtlety, in which the catchwords of philosophy are completely detached from their context (*d*). To such disputes the humour, whether of Plato in the ancient, or of Pope and Swift in the modern world, is the natural enemy. Nor must we forget that in modern times also there is no fallacy so gross, no trick of language so transparent, no abstraction so barren and unmeaning, no form of thought so contradictory to experience, which has not been found to satisfy the minds of philosophical enquirers at a certain stage, or when regarded from a certain point of view only. The peculiarity of the fallacies of our own age is that we live within them, and are therefore generally unconscious of them."

The following brief outline of one or two portions of the *Euthydemus* will illustrate the abuses of disputation with which Socrates was confronted, and will serve as a contrast to the example of the typical Socratic method of examination given later.

Dionysodorus and Euthydemus, natives of Chios, having been expelled from Thurii, came to Athens as teachers of rhetoric and eristic, and more especially of wisdom and virtue. Socrates, interested in Cleinias, the grandson of Alcibiades, desires him to take lessons in virtue from them. They all meet in the Lyceum, and at the suggestion of Socrates (who is more delightfully ironical than ever) the two Sophists express their willingness to give an exhibition of their wisdom as well as to teach it. It is agreed that they shall question Cleinias.

"*Euthyd.*: Cleinias, who learn, the wise or the ignorant? (*e*)

(The youth looked perplexed, and Socrates encouraged him to answer, whereupon Dionysodorus whispered to Socrates: 'Whatever he answers, I prophesy that he will be refuted' (*f*).)

Clein.: The wise (*g*).

Euth.: When you were learning, say grammar and music, did you already know those subjects or not?

(*d*) Cf. *Theaet.* 180.

(*e*) 275 a. In the very first question every word is used ambiguously; μανθάνειν means (1) to learn; (2) to understand, to grasp the meaning of; σοφοί (wise) means (1) intelligent or "clever" persons; (2) those who already know the subject to be taught; ἀμαθεῖς means (1) stupid or dull persons; (2) those who are ignorant of a given subject. In this "sophistical elenchus" there is the fallacy of equivocation, involving terminological ambiguity. (Cf. the treatise ascribed to Aristotle, *De Sophisticis Elenchis*, iv. 525.)

(*f*) No wonder, as the verbal trick is worked on the principle: "Heads, I win; tails, you lose."

(*g*) Of the two given meanings of each of the words σοφοί and ἀμαθεῖς, Cleinias takes the first in each case—"clever" and "stupid"—and answers accordingly; whereupon his questioner at once assumes the other meanings—"learned" and "unlearned."

Clein. : No.

Euth. : Were you wise then ?

Clein. : No, indeed.

Euth. : But if you were not wise, you were unlearned ?

Clein. : Certainly.

Euth. : Then learning what you did not know, you were unlearned when you were learning ?

Clein. (Nods assent.)

Euth. : Then the unlearned learn, and not the wise, as you have said.

(Laughter and cheers from the followers of Euthydemus ; and before the youth had time to recover, Dionysodorus took him in hand.)

Dionys. : Now, Cleinias, when the grammar-master dictated to you, who learnt the dictation—the wise boys or the ignorant boys ? (*h*).

Clein. : The wise.

Dionys. : Then after all the wise and not the ignorant are the learners ; so that your answer to Euthydemus was wrong ?

(Another peal of laughter and shouting greeted this contradiction ; so Euthydemus, in order to heighten the effect, asked another similar question.)

Euth. : Do learners learn what they know, or what they do not know ? (*i*)

(Dionysodorus again whispered to Socrates : 'That is just another of the same sort.')

Clein. : Learners learn what they do not know.

Euth. : Do you know letters ?

Clein. : Yes.

Euth. : All letters ?

Clein. : Yes.

Euth. : When the teacher dictates to you, he dictates letters ?

Clein. : Yes.

Euth. : Then he dictates what you know ?

Clein. : Yes.

Euth. : Then you do not learn what he dictates, but only he who does not know letters learns ?

Clein. : Nay, but I do learn.

(*h*) The questioner now reverts to the first meanings—" clever " and " stupid."

(*i*) Here we have another of the old sophistic quibbles, whereby it was intended to prove, to the perplexity of the uninitiated, that one could not learn anything new ; just as the algebraic manipulator can " prove " that 1 = 0.

Euth.: Then you learn what you know, if you know all the letters ?

Clein.: Yes.

Euth.: Then you were wrong in your answer.

(Immediately after this second contradiction, Dionysodorus took up the argument.)

Dionys.: Is not learning acquiring knowledge ?

Clein.: Yes.

Dionys.: And you acquire what you have not already ?

Clein.: Yes.

Dionys.: Then you learn what you do not know.

(Socrates intervenes and encourages Cleinias; he points out the double use of 'to learn' and the quibbling tricks of the questioners, and adds, with consummate irony, that the two wise gentlemen are only jesting, and initiating him into the mysteries of the sophistical ritual, and that afterwards they will exhibit their serious purpose, namely, the imparting of virtue and wisdom (*k*).

Socrates, with all deference to the Sophists and begging their forgiveness if he makes himself ridiculous in their eyes, gives a specimen of his own mode of questioning, which is quite different from theirs; and then he begs them to take up the enquiry where he left off and to proceed on similar lines, though no doubt in more artistic style. Dionysodorus thereupon continues, addressing himself first to Socrates.)

Dionys.: You wish Cleinias to become wise ?

Soc.: Undoubtedly.

Dionys.: And he is not wise yet ?

Soc.: Modesty compels him to say no.

Dionys.: Then you wish him to be what he is not, and not to be what he is,—that is, you wish him to perish. Pretty lovers and friends you must all be !

(Ctesippus, a young friend of Cleinias, becomes angry at this latter observation, which he considered a lie.)

Euth.: Do you think, Ctesippus, it is possible to tell a lie ?

Ctes.: Yes; I should be mad to deny that.

(*k*) The fact is they have no wisdom or virtue to impart at all. Their stock-in-trade is eristic, which is based on a perversion of the antinomies used by Zeno in his logical method, for the purpose of detecting error. The purpose of Sophists such as these is little more than to nonplus their collocutor for the time being by enmeshing him in ambiguities and quibbles, and so to gain "cheap" applause for their argumentative prowess.

Euth. : And in telling a lie, do you tell the thing of which you speak or not ? (*l*).

Ctes. : You tell the thing of which you speak.

Euth. : And he who tells tells that thing which he tells, and no other ?

Ctes. : Yes.

Euth. : And that is a distinct thing apart from other things ?

Ctes. : Certainly.

Euth. : And he who says that thing says that which is ?

Ctes. : Yes.

Euth. : And he who says that which is says the truth. And therefore Dionysodorus, if he says that which is, says the truth of you and no lie.

Ctes. : Yes, but in saying this, he says what is not.

Euth. : And that which is not is not ?

Ctes. : True.

Euth. : And that which is not is nowhere ?

Ctes. : Nowhere.

Euth. : And can any one do anything about that which has no existence, or do to Cleinias that which is not and is nowhere ?

Ctes. : I think not.

Euth. : Well, but do rhetoricians, when they speak in the assembly, do anything ?

Ctes. : Nay, they do something.

Euth. : And doing is making ?

Ctes. : Yes.

Euth. : And speaking is doing and making ?

Ctes. : Yes.

Euth. : Then no one says that which is not, for in saying that, he would be doing nothing ; and you have already acknowledged that no one can do what is not. And therefore upon your own showing, no one says what is false ; but if Dionysodorus says anything, he says what is true and what is (*m*)."

And so this eristic exhibition proceeded. The disputants became exasperated and Socrates had to pacify them. Then Dionysodorus denied that there ever was such a thing as contradiction, held that no man could affirm a negative, that there was

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(*l*) 283 e–284 a. Here the word λέγειν is used with two different meanings : " to speak about a thing," or to " speak (*i.e.*, utter) a word."

(*m*) 284 c. Here is a fallacy in assuming that to speak or think of a *thing* is equivalent to *doing* something to the thing itself, that is, making it a *real object*. See, in regard to the above-mentioned fallacies, H. Bonitz, *Platonische Studien* (Berlin, 1886).

no such thing as falsehood, and reproved Socrates as an old fool, when he was asked what he really came to teach, if there were no such thing as error in deed, word, or thought.

No doubt Plato's representation of the sophistic procedure is exaggerated, but it accurately shows the vain pretension of knowledge, the quibbling devices, the argumentative distortions on the part of many Sophists given to eristic, and it accurately depicts Socrates' humour, courtesy, and infinite patience in dealing with them. The times badly needed a purified conscientious dialectic instead of the spurious eristic.

The object of Socrates in the application of his dialectic method was, in the first place, conformably to the Delphic injunction "Know thyself," to separate true knowledge from opinion, and to expose ignorance where there was a "conceit of knowledge"; and secondly to establish, in the course of this process, or as a consequence of it, clear concepts embodied in definitions. For this purpose Socrates sought conversation with everybody, but especially with those who claimed to possess knowledge or professed to teach the various branches of instruction. For he was anxious to learn himself, above all to penetrate to fundamentals; so that he usually adopted the rôle of questioner, and pursued the successive steps in the reasoning to their logical conclusions (*τὰ συμβαίνοντα*). The true and adept dialectician reaches a conception of the very essence of each thing, not merely of its accidents or attributes, and he can justify his conception in the face of all criticism. As Plato makes Socrates say (in a passage that is distinctly Socratic in spirit though it occurs in one of his later works):

"Until a person is able to abstract and define rationally the idea of good, and unless he can run the gauntlet of all objections, and is ready to disprove them, not by appeals to opinion, but to absolute truth, never faltering at any step of the argument—unless he can do all this, you would say that he knows neither the idea of good nor any other good; he apprehends only a shadow of anything at all, which is given by opinion and not by science; —dreaming and slumbering in this life, before he is well awake here, he arrives at the world below, and has his final quietus" (*n*).

In regard to the invariable practice of Socrates in dividing an argument into a connected series of stages, each conditioned by agreement on its predecessor, Xenophon observes:

"His own—that is, the Socratic—method of conducting a

(*n*) *Repub.* vii. 534 c.

rational discussion (*o*) was to proceed step by step from one point of general agreement to another. 'Herein lay the real security of reasoning' (*p*), he would say; and for this reason he was more successful in winning the common assent of his hearers than any-one I ever knew. He had a saying that Homer had conferred on Odysseus the title of a safe, unerring orator, because he had the gift to lead the discussion from one commonly accepted opinion to another."

In the course of a seemingly casual conversation, his collocutor might use such a term as "good," "justice," "courage," "piety," "wisdom," or other relative terms indicating common ethical concepts whose meaning he took for granted (*q*), whereupon Socrates asked for a definition. The other, never doubting that he knew all about such familiar things, returned a ready answer. Then Socrates tested the validity of the definition, by applying it to particular cases to see whether it was too wide or two narrow, by analysing it and asking further questions to see whether it was consistent with other explicit propositions or declarations or implied convictions of the collocutor. The inadequacy of the definition, or the inconsistency or contradiction was then pointed out by Socrates, and so the other party amended his definition. Socrates then followed his former procedure and again discovered such defects as made the second definition equally untenable. The responder then made a further amendment, and Socrates subjected it to a similar examination, with the like result. The responder, forced at last to realise his impossible position, became conscious of his ignorance on the subject, or of his confusion of thought.

A salient and original feature of this process in the hands of Socrates, as well as of his own protracted ratiocinative discourses, was his constant use of homely, rough-and-ready illustrations and analogies. As his listeners were quite familiar with such things, his proceeding was at once logical and eminently educative, in that it passed from the known to the unknown, from the simple to the more complex; but this habit of Socrates sometimes irritated his hearers, especially when they were defeated in discussion. Plato represents Callicles as exclaiming to Socrates: "Yes,

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(*o*) Or, "of threading the mazes of an argument."

(*p*) Reading *ταύτην ἀσφάλειαν*; *aliter*, *ταύτην τὴν ἀσφάλειαν* = "that this security was part and parcel of reasoning." (Both this and the preceding note are Dakyns': *Works of Xenophon*, vol. iii., pt. i., p. 175.)

(*q*) See Grote, *History of Greece*, vol. vii., pp. 106–133, whose treatment of the Socratic method is one of the best parts of the chapter on Socrates.

by the gods, you are literally always talking of cobblers and fullers and cooks and doctors, as if this had to do with our argument " (*r*). And the admiring Alcibiades is made to say :

" His words are like the images of Silenus which open ; they are ridiculous when you first hear them ; he clothes himself in language that is like the skin of the wanton satyr—for his talk is of pack-asses and smiths and cobblers and curriers, and he is always repeating the same things in the same words, so that any ignorant or inexperienced person might feel disposed to laugh at him ; but he who opens the bust and sees what is within will find that they are the only words which have a meaning in them . . . " (*s*).

The *Euthyphro* of Plato is an excellent example of the Socratic elenchus applied to inveterate religious faith and to the confidential assumption of knowledge concerning religion. Socrates' collocutor is regarded and regards himself as a learned diviner and soothsayer ; he is a champion of orthodoxy and a defender of " piety " (εὐσέβεια, ὁσιότης). But in the manner of the Sophists he is carried away by his self-conceit and cocksureness, though, like the Sophists, he has never examined the grounds of his knowledge and has only confused and contradictory notions. Socrates adopts his usual attitude, showing great eagerness to be instructed, and promptness to test the tenability of what is imparted to him. The soothsayer soon becomes aware of his failure to satisfy the searching cross-examination, and tacitly recognising, no doubt, Socrates' superior analytical skill and his leadership in the discussion, he is disposed to seize on hints and suggestions thrown out by Socrates and acquiesce in the development of the thesis, rather than apply himself to the arduous and worrying task of thinking out the matter for himself—a matter long familiar to him, unexamined, taken for granted, and now awkwardly and unexpectedly presenting strange unaccountable difficulties. The victim of the Socratic dialectic but little suspected that the commonest ideas are the most difficult to explain, and that the fundamentals of knowledge and faith are not always amenable to strictly logical justification.

Socrates is represented as meeting Euthyphro in the colonnade of the King Archon (βασιλεύς), before whom cases connected with religion were brought (*t*). Both have legal business in the court

(*r*) *Gorgias*, 490 e.
(*s*) *Symp.* 221 e–222 a. Cf. Xen., *Mem.* i. 2. 37 ; iv. 4. 6.
(*t*) According to Pausanias, i. 3. 1, the βασίλειος στοά was situated near the Agora.

there. Socrates has to answer an accusation of impiety (ἀσέβεια). In reply to Euthyphro he ironically describes the impeachment, and speaks slightingly of Meletus, his accuser. Socrates' resentment is shared by Euthyphro, who sees in the prosecution a confirmation of his belief that seers are regarded with jealousy : for his prophecies in the Athenian Assembly are received with derision. But ridicule, says Socrates, is of little account compared to an indictment on a capital charge. However, Euthyphro hopes that both cases will end satisfactorily.

Socrates observing his companion's eagerness to tell of his own case asks him for information. Euthyphro says he is prosecuting his father for manslaughter (φόνος). A poor labourer on their farm in Naxos having killed a fellow-servant in a drunken quarrel was bound and thrown into a ditch, until instructions on the subject should be received from Athens ; but before the messenger returned he died of hunger and exposure. Therefore Euthyphro, claiming correct views on piety and impiety, has resolved to prosecute, despite his family's remonstrances, on the ground that his father is defiled with bloodguiltiness, and the pollution of the house must be purged by bringing him to justice.

As Socrates is to be tried for impiety himself he professes his eagerness to learn from such a competent authority the nature of piety and impiety, in order to be able to prove his innocence, or to transfer the responsibility for his errors to his teacher. Euthyphro, confident of his knowledge, agrees to undertake all the responsibility.

(1) *Definition I.*—What, asks Socrates, are piety and impiety ? Euthyphro answers : Piety is prosecuting the guilty as I do now (even though he be my father), and impiety is omitting to do so ; and he appeals to the example of Zeus in dealing with his guilty father Cronos. But Socrates hesitates to accept tales dishonourable to the gods, and wonders whether such incredulity on his part has something to do with his accusation. However, as such a great authority believes these stories of quarrels among the gods, he must for the present submit, for he does not claim any knowledge on the subject.

Testing Definition I.—Socrates turns his attention to the definition. He points out that doing as Euthyphro does may be an instance of piety, but not a definition ; what he wants is a statement of the general quality or the essence—in all pious acts there must be a common characteristic that makes them pious.

(2) *Definition II.*—Euthyphro, perceiving his error, amends his

definition : Piety is that which is pleasing to the gods, impiety is that which is not pleasing to them.

Testing Definition II.—Socrates observes that there are gods and gods ; and it has already been admitted that they quarrel among themselves. But their dissensions must arise from differences of view, not about such matters as questions of quantity which may soon be tested, but about those very matters on which men differ among themselves, namely, questions of right and wrong, which cannot be settled by applying a ready standard. Now the gods love what they think right, and hate what they think wrong ; hence, owing to their differences of opinion, the same things are both loved and hated by them. Therefore, the same things are both pious and impious. So that Euthyphro's conduct in prosecuting his father may be loved by one God, say Zeus, and hated by another, say Cronos ; in which case it is at once pious and impious.

Euthyphro objects that all the gods are agreed in holding that one who puts another to death unjustly ought to be punished. Whereupon Socrates points out that that is begging the question : for in such a case the point at issue (either with gods or with men) will be whether the homicide is just—and as to this there will still be a difference of view. How can Euthyphro prove that all the gods are unanimous about his father's act ? Euthyphro pretends that he could prove it if he had the time : he will do so before the judges. Thus Euthyphro shirks the issue. Still, even if he can prove it, observes Socrates, the definition of piety will not thereby be justified ; his proof will show that, as a matter of fact, a particular act is hated by the gods. But by the definition other acts that are hated by some gods may also conceivably be loved by others.

(3) *Definition III.*—Accordingly, on the suggestion of Socrates, Euthyphro amends his second definition thus : Piety is what all the gods love, impiety is what all the gods hate.

Testing Definition III.—Socrates asks : Is piety loved by the gods because it is piety, or is it piety because it is loved by them ? Euthyphro is perplexed, but after some explanation from Socrates in regard to act (cause) and state (effect), he decides on the former alternative : piety is loved by the gods because it is piety.

Now the position is this : The god-loved is made what it is by being loved by the gods. But piety is not made what it is by being loved by the gods. Hence piety is distinct from the god-loved. Piety may be god-loved ; and even if it is loved by all the

gods, that fact is an accident or attribute (πάθος) of piety, not its essence (οὐσία); whereas a definition of a thing should state not its accident but its essence.

After this contradiction on the part of Euthyphro has been perceived by him, there is a brief interlude in which he acknowledges that he cannot express what he means: for the arguments, on whatever ground they are made to rest, seem to leave their moorings and wander off.

The discussion is then resumed. In order to encourage Euthyphro to reach a more satisfactory definition, Socrates himself makes a suggestion: Is not the pious necessarily just? Yes. Is then all that is just pious? or, is that which is pious all just, but that which is just only in part pious? Again Euthyphro does not follow; so Socrates explains the question to him by illustrating the relation of genus to species. Euthyphro then says that the just is the wider term and the pious is part of the just. The question now is, what part of justice is to be identified with piety?

(4) *Definition IV.*—Euthyphro's answer is: Piety is that part of justice which "attends" to the gods.

Testing Definition IV.—Socrates praises this definition, but has some difficulty about the meaning of the word "attend." Now attending to a thing implies that it is made or intended to be made better, as in the case of attending to dogs, horses, and men. Does attending to the gods make them better? No. Then what kind of attending is meant in the case of the gods? Euthyphro explains that he means acts of service or ministration, like the attention that servants bestow on their masters. Hence the definition assumes another form.

(5) *Definition V.*—Piety is a kind of service or ministration to the gods.

Testing Definition V.—Service to anyone has an end: it produces or is intended to produce some definite result. What result does the pious man produce in his ministration to the gods? What do the gods accomplish through man's ministration? Euthyphro answers vaguely: Many fair things. He adds that all these difficult questions cannot be solved in a short time. Thus he shirks the issue again. When further pressed whether all these "fair things" can be summed up under one head, as we say of a general that he produces victory in war, and of a husbandman that he produces food from the earth, he evades the point, and impatiently advances a further proposition.

(6) *Definition VI.*—Piety is knowing how to say and do what is pleasing to the gods.

Socrates points out that Euthyphro is trying to evade the question ; and then with Euthyphro's consent he takes the latter statement as equivalent to the proposition :—

(7) *Definition VII.*—Piety is the science of prayer and sacrifice.

Now sacrifice implies a giving to the gods, and prayer implies asking something from them. Therefore the definition may be formulated in the following way :—

(8) *Definition VIII.*—Piety is the science of asking from and giving to the gods.

But to ask rightly is to ask what we need, and to give rightly is to give what the gods need. Therefore a fresh form of the definition is possible.

(9) *Definition IX.*—Piety is the art of commerce (traffic or trading) between gods and men.

Euthyphro is doubtful about the word "commerce," and Socrates suggests that we certainly appear to derive all the benefits of the commerce. What gifts then can we offer the gods ? Euthyphro replies : Honour, and what is pleasing to them. Socrates then asks whether piety is pleasing to the gods, without being beneficial to them. Euthyphro answers, with some reluctance, that it is above all pleasing. That is to say :—

(10) *Definition X.*—Piety is what is pleasing to the gods.

But this is the same proposition as (2), which has already been rejected.

Socrates thereupon observes that Euthyphro is more ingenious than Daedalus : Daedalus made his works walk about, Euthyphro makes his revolve in a circle. Therefore having returned to the point from which we began, we must start the whole discussion over again ; for Euthyphro must know the nature of piety, otherwise he would not charge his father with impiety. Euthyphro, however, makes off, saying : Another time, Socrates ; for I am in a hurry, and must go now. Socrates goes away, lamenting his disappointed hopes of enlightenment on a subject that is of such vital importance to him.

The first step in this dialectic procedure is, then, an application of the Delphic maxim, "Know thyself,"—self-examination, or mutual examination by joint investigators, in order to discover what we really know, and what we only seem to know. A clear

and sincere recognition of one's ignorance, after experiencing frustration and perplexity (ἀπορία, as it was termed in the Socratic circle), is the most salutary preparation for the attainment of knowledge.

Now Socrates constantly spoke of the co-operative examination of questions. It was not merely through modesty and deference to others—humble as he was—that he invited their help; it was rather due to his conception of ethical science. He thought that the best way to build it up was by the contact of mind with mind acting freely yet self-controlled, by the "comparing of notes" (so to speak), the rejection of what is contrary to the common reason of the joint investigators, and the acceptance of what is sanctioned by it. As Xenophon makes Socrates say (*u*):

"A man who pays no heed to what is the best and strives only to gratify his sense of pleasure, does he differ from the stupidest cattle? . . . But the self-controlled alone are empowered to consider the things that matter most; by word and deed, they will sort them out, according to their kinds, preferring the good and refraining from the evil. Thus (he added) it is that a man attains the height of goodness and happiness, and becomes skilled in discussion. The very word discussion (διαλέγεσθαι) arises from the practice of people coming together for common deliberation and sorting out and selecting things (διαλέγειν) according to their kinds (*x*). It is the duty of a man therefore to prepare himself for this art, and to pursue it with the most earnest attention, for this is the way to excellence, to skill in leadership, and ability in discussion" (*y*).

The method or instrument used in this deliberation is that of question and answer, a method that enables each particular issue to be pursued to its ultimate logical conclusion, and readily shows when a given conclusion is to be abandoned, that is to say, on the ground of contradiction, or other manifest untenability owing to its being in conflict with reason. The method is essentially a searching cross-examination; and its dynamic force is found in the "negative arm of the elenchus."

No wonder, then, that with reason controlling the argument and unfettered by prejudice, tradition, habit, or selfish considera-

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(*u*) *Mem.* iv. 5. 11–12.

(*x*) Cf. Plato, *Politicus*, 286 d: ". . . Reason tells us that we should be contented to make the ease or rapidity of an enquiry not the first but our second object; the first and highest of all being to assert the great method of division according to species. . . ." Cf. Xen., *Mem.* iv. 6. 1 (quoted *infra*, p. 147).

(*y*) Cf. Grote, *History of Greece*, vol. vii., p. 109.

tions, conclusions were not seldom reached that appeared to hostile or unsympathetic hearers as complete inversions of generally accepted views—as (we might say) a " transvaluation of values." For example, Plato represents Socrates as speaking of the uses of rhetoric—that it enables a man to expose his own injustice and to petition for speedy punishment, to defend himself against an enemy as well as to prevent the punishment of an enemy; whereupon Callicles asks Socrates whether he is in earnest or only joking. " For if you are in earnest, and what you say is true, is not the whole of human life turned upside down; and are we not doing, as would appear, in everything the opposite of what we ought to be doing ? " (*z*).

Thus we have in the first place a destructive or purgative process. The aim of Socrates, like that of Bacon, was to throw aside current theories and notions, which were never thoroughly investigated or revised, and apply his intellect, so purged, afresh to facts (*a*). As Plato says of the method of education that is to be followed by good and true teachers (" philosophers "): " They will begin by taking the state and the manners of men, from which, as from a tablet, they will rub out the picture and leave a clean surface " (*b*). The mind of one who is to be effectually educated is never a *tabula rasa :* it is full of prejudices, errors, confused ideas, which make up " the conceit of knowledge without the reality "; and this Socrates sought to remove by his refutative dialectic, and to substitute for it as far as possible more accurate principles that might be reasoned out in the process of investigation.

Xenophon, explaining how Socrates trained the dialectic capacity of his intimates, says (*c*):

" He held that if a man knew the nature of a given thing, he could also explain it to others; on the contrary, if he had not that knowledge, it was not surprising that he should stumble himself and also mislead others (*d*). It was for this reason that

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(*z*) *Gorgias*, 481 a–b. Cf. Xen. *Mem.* iv. 2. 19.

(*a*) Bacon, *Nov. Organ.* 1. 97, in *Works*, ed. Spedding (London, 1857), vol. i., p. 201: " Nemo adhuc tanta mentis constantia et rigore inventus est, ut decreverit et sibi imposuerit, theorias et notiones communes penitus abolere, et intellectum abrasum et aequum ad particularia de integro applicare."

(*b*) *Repub.* vi. 501 a.

(*c*) *Mem.* iv. 6. 1.

(*d*) Or, " Socrates believed that anyone who knew the nature of anything would be able to let others into his secret; but, failing that knowledge, he thought the best of men would be but blind leaders of the blind, stumbling themselves and causing others to stumble also."

he never ceased inquiring with his associates into the nature of things " (*e*).

Socrates usually regarded himself not as a teacher in the strict sense of the term (though in the larger sense he was one of the very greatest teachers that ever lived), but as a fellow-inquirer ; not as one who seeks to impart set instruction from without, but as one who is desirous of educing knowledge from within. He sometimes professed, indeed, that he applied a maieutic art (τέχνη μαιευτική) (*f*), that is to say, that he acted merely as an intellectual obstetrician aiding his companion to deliver himself of his ideas. Hence he thought—pursuing the same figure—that the ideal joint examination is that which is vitalised by sympathy between the parties, which is stimulated by noble love, so that their intelligences fructify each other and their souls become pregnant with noble thoughts and feelings.

Holding that his function was to educe knowledge rather than instil it, he frequently proclaimed his own ignorance on the subject in hand. This attitude of his was, generally speaking, quite serious, and not part of his customary irony. His mission was in the main to expose false knowledge ; he did not explicitly undertake to supply true knowledge in its place ; and he often expressed a regret that he could do no more. In the *Meno*, for example, Socrates is made to say :

" I literally do not know what virtue is, and much less whether it is acquired by teaching or not. And I myself, Meno, living as I do in this region of poverty, am as poor as the rest of the citizens ; and I confess with shame that I know literally nothing about virtue ; and when I do not know the ' quid ' of anything how can I know the ' quale ' " (*g*).

Aristotle says of Socrates' attitude in this respect :

" Socrates put questions, but gave no answers ; for he professed not to know " (*h*). And yet he gave very many answers, as the previous chapters amply show—answers that shed a new light on subjects that had hitherto been obscure or misunderstood or entirely unexamined. When he did not give any answer, it was because he realised that he had not any that could bear his

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(*e*) Or, " ' What is this among things ? and what is its definition ? '—such was the ever-recurrent question for which he sought an answer." (This and the preceding note are Dakyns' : *Works of Xenophon*, vol. iii., pt. i., pp. 166, 167.) Cf. Plato, *Politicus*, 286 d (quoted *supra*, p. 146).

(*f*) Cf. *Theaet.* 148 e–150.

(*g*) Plato, *Meno*, 71 b. Cf. *Charmides*, 175 a ; *Theaet.* 150 c.

(*h*) *De Sophist. Elenchis*, xxxiv. 3 : ἐπεὶ καὶ διὰ τοῦτο Σωκράτης ἠρώτα, ἀλλ' οὐκ ἀπεκρίνετο • ὡμολόγει γὰρ οὐκ εἰδέναι,

own most exacting dialectic test; it was not, in such cases, through affected modesty, and it certainly was not through a desire to tease and perplex his collocutors by giving them puzzles and concealing their solutions. There has been much controversy on this point; but we may accept the view of Grote: " . . . The Platonic commentators usually present the dialogues in a different light, as if such modesty on the part of Socrates was altogether simulated; as if he was himself, from the beginning, aware of the proper answer to his own questions, but refrained designedly from announcing it; nay, sometimes, as if the answers were in themselves easy, and as if the respondents who failed must be below par in respect of intelligence. This is an erroneous conception. The questions put by Socrates, though relating to familiar topics, are always difficult; they are often even impossible to answer, because they postulate and require to be assigned a common objective concept which is not to be found. They only appear easy to one who has never attempted the task of answering under the pressure of cross-examination. Most persons indeed never make any such trial, but go on affirming confidently as if they knew, without trial. It is exactly against such illusory confidence of knowledge that Socrates directs his questions: the fact belongs to our days no less than to his" (*i*).

This serious confession of ignorance is quite different from that shy self-depreciation, that feigned modesty or affected simplicity which was part of his customary irony,—a rich, delightful, annoying, perplexing, stimulating irony that was inseparable from the dialectic procedure. Sometimes it is really difficult to believe that the insinuating way he had of belittling himself was not serious. However, this self-depreciation of his presented a marked contrast to the boastful and swaggering attitude (ἀλαζονεία) assumed by many of the Sophists.

When Socrates became a notable figure in Athens, and his prowess in controversy became a by-word, his assumption of total ignorance on the subject debated was commonly deemed to be teasing affectation, simulated condescension, or wily paradox. In a conversation on justice between Socrates and Hippias of Elis, the famous Sophist, as described by Xenophon, Hippias announced that he was going to make some remarks which nobody would be able to controvert. Socrates was overjoyed (ostensibly).

(*i*) Grote, *Plato and the Other Companions of Socrates*, 3 vols., 2nd ed. (London, 1867), vol. i., p. 323.

" ' By Hera ! ' (he exclaimed), ' what a blessing to have discovered ! Now we shall have no more divisions of opinion on points of right and wrong ; judges will vote unanimously ; citizens will cease wrangling ; there will be no more litigation, no more party faction, states will reconcile their differences, and wars are ended. For my part I do not know how I can tear myself away from you, until I have heard from your own lips all about the grand discovery you have made.'

" ' You shall hear all in good time ' (Hippias answered), ' but not until you make a plain statement of your own belief. What is justice ? We have had enough of your ridiculing all the rest of the world, questioning and cross-examining first one and then the other, but never a bit will you render an account to any one yourself or state a plain opinion upon a single topic ' " (*k*).

Plato also gives several illustrations of this attitude of Socrates. The first book of the *Republic* contains a delightful one (*l*). Socrates and Thrasymachus together with some others are discussing justice, and the hot-headed Sophist cries out against Socrates' questioning and his ironical refusal to answer. (It is Socrates himself who is represented as giving the account of the discussion.)

" ' What folly has possessed you, Socrates ? ' he said, with a roar. ' Why have you been knocking under to one another in this silly way ? [Polemarchus had been expressing his agreement with Socrates.] I say that if you want really to know what justice is, you should not only ask but answer, and you should not seek honour to yourself from the refutation of an opponent, but have your own answer ; for there is many a one who can ask and cannot answer. And now I will not have you say that justice is duty or advantage or profit or gain or interest, for this sort of nonsense will not do for me ; I must have clearness and accuracy.'

" I was panic-stricken at his words, and could not look at him without trembling. Indeed, I believe that if I had not fixed my eye upon him, I should have been struck dumb ; but when I saw his fury rising, I looked at him first, and I was therefore able to reply to him.

" ' Thrasymachus,' I said, with a quiver, ' don't be hard upon us. Polemarchus and I may have been guilty of a little mistake in the argument, but I can assure you that the error was not intentional. If we were seeking for a piece of gold, you would not

(*k*) Xen., *Mem.* iv. 4. 8–9 (Dakyns' translation).
(*l*) *Repub.* i. 336 b–337 a.

imagine that we were "knocking under to one another," and so losing our chance of finding it. And why, when we are seeking for justice, a thing more precious than many pieces of gold, do you say that we are weakly yielding to one another and not doing our utmost to get at the truth ?'

"'How characteristic of Socrates!' he replied, with a bitter laugh; 'that's your ironical way! Did I not foresee—did I not tell you all, that he would refuse to answer, and try irony or any other shift, in order that he might avoid answering ?'"

Now irony is a species of humour; and the Socratic irony was a peculiar species of Socrates' humour—an all-pervading humour, which entered into his very marrow, which manifested itself constantly in the sphere of intellectual conception as well as in that of moral judgment, which formed such a striking counterpart to the visionary and zealous side of his nature. His humour led him to do quaint and eccentric things, and to say whimsical things about himself. It must have been partly the humorous disparagement of himself, his humble declaration—in view of his lofty and transcendent ideal—that he was no better than others, or that he was no better than he should be, that gave rise to such defamatory statements as were circulated by Aristoxenus, the enemy of the Socratic schools (*m*).

The "accustomed irony" (εἰωθυῖα εἰρωνεία) of Socrates sprang from that rich many-sided sense of humour of his, which saved him from becoming a fiery uncompromising reformer that lashes the aberrations of his fellow-men. His great fund of humour enabled him, in the prosecution of his arduous task, to look with a tolerant eye at human shortcomings, at the incongruity between what men claimed and boasted about and what they achieved, to bear with patience and composure the greater as well as the lesser hypocrisies and dissimulations of mankind, and even to turn a deaf ear to derision and insult not infrequently encountered in the course of his life.

It was in his irony, too, that the sense of his advantage over his fellows found expression: he was aware of his own ignorance, they were unconscious of theirs. Herein lies the essential purport of this irony.

"Properly speaking," says Zeller, "it consists in this, that Socrates without any positive knowledge, and only prompted by the desire for knowledge, addresses himself to others, in the hope

(*m*) Cf. Jackson, in *Ency. Brit.*, s. v. *Socrates*, p. 333, col. 1.

of learning from them what they know, but that in the attempt to discover it, by a critical analysis of their notions, their supposed knowledge itself vanishes. In its widest acceptation, irony is the dialectical or the critical side of the Socratic method, and it assumes its peculiar form owing to the presupposed ignorance of him who uses it for his instrument " (*n*).

This irony, which became in the eyes of his fellow-creatures a characteristic feature of Socrates, could hardly have been a playful mask or an elaborate jest: for it continued throughout the whole of his manhood, even to the very end amidst the most pathetic scenes, in the most tragic circumstances. It was not, moreover, Socrates himself who claimed the possession of this dialectic weapon; it was rather his antagonists who ascribed it to him, considering him as cunning as a fox (εἴρων), in an uncomplimentary sense. Professor Burnet says that " the Scots word ' canny ' (not always a term of praise) comes nearest in meaning to the Greek " (*o*); but an examination of its use shows that it is not an adequate equivalent. Now in the practice of Socrates the originally derogatory meaning of " irony " gradually vanished; it became allied to a charming urbanity and suave self-possession, and was in keeping with the refined geniality of the Attic intellect and the debonair graces of Athenian social life.

Though Socrates' irony was aimed so persistently at pretended wisdom, at the " conceit of knowledge," it did not involve a derisive assumption that truth was altogether undiscoverable. It recognised the difficulty of the search, the necessary equipment for conducting it, but it did not despair about the eventual result. There was nothing nihilistic or sceptical in the Socratic irony.

When Socrates and his collocutors were engaged in their joint quest, he was fully aware of the great difficulty involved, whilst they were usually cocksure about their own contribution. Socrates, in his ironical attitude, playfully assumed that they could enlighten him—on their part they were seriously confident they could do so; so that he had good ground for questioning them, and thereby earnestly endeavoured to elicit from them anything that might be relevant and helpful for solving the question at issue. Without this irony he would scarcely have been able to devote himself to his all-absorbing task of cross-examining those who claimed the possession of this or that branch of knowledge; and with it he was also able to relieve the monotony of a protracted catechetical

(*n*) Zeller, *Socrates and the Socratic Schools*, Eng. trans., pp. 105–106.
(*o*) *Greek Philosophy*, p. 132.

process, and to avoid the pedantry of a self-constituted teacher as well as the prepossession of a special pleader (*p*). His irony, however, never took the form of a malicious expectation of hurling his interlocutors, without their suspecting it, on the horns of a dilemma, or annihilating them by the negative arm of the elenchus. Indeed, his irony was always kindly and even generous; it was far removed from cynicism or from that caustic humour which celebrates petty victories in controversy, or seeks (as Cicero (*q*) and other ancient writers (*r*) erroneously believed) to humiliate or ridicule opponents who have been defeated or who have become entangled in hopeless difficulties.

At times Socrates dissimulated his own convictions—so eager was he to test them impartially by elaborate reasoning applied in the course of the conversation. Thus his irony generally implied a certain non-committal spirit. In the recognition of his limited knowledge he was sincere and conscientious, so that he refused to commit himself further than his knowledge sanctioned; though he also deliberately abstained from committing himself when he was in possession—and knew it—of the requisite knowledge on a given point.

We may conclude this brief account of the alluring Socratic irony with an excellent passage taken from an able commentator who, speaking of Socrates' seriousness in professing himself the votary of Eros, says (*s*):

"But with this seriousness was mixed in large measure that humorous affectation of qualities the opposite of his own which the Greeks knew as the εἰρωνεία of Socrates. Intellectually the acutest man of his age, he represents himself in all companies as the dullest person present. Morally the purest, he affects to be the slave of passion, and borrows the language of gallantry to describe a benevolence too exalted for the comprehension of his contemporaries. He is by turns an ἐραστής [a lover], a προαγωγός [procurer], a μαστροπός [pander] (*t*), a μαιευτικός [man-midwife] (*u*),

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(*p*) Cf. Grote, *History of Greece*, vol. vii., pp. 123–124.

(*q*) Cicero, *Brutus*, c. 85, par. 292: ". . . Ironiam illam . . . facetam et elegantem puto. Est enim et minime inepti hominis et eiusdem etiam faceti, quum de sapientia disceptetur, hanc sibi ipsum detrahere, eis tribuere illudentem, qui eam sibi adrogant, ut apud Platonem Socrates in caelum effert laudibus Protagoram, Hippiam, Prodicum, Gorgiam, caeteros, se autem omnium rerum inscium fingit et rudem." Cf. *De nat. deor.* i. 34. 93.

(*r*) Cf. Diog. Laert. ii. 5. 19. See Grote, *History of Greece*, vol. vii., p. 124, note.

(*s*) W. H. Thompson, *The Phaedrus of Plato* (London, 1868), Appendix I., p. 153.

(*t*) Xen., *Symp.* iii. 10.

(*u*) *Theaet.* 161 e.

disguising the sanctity of his true vocation by names suggestive of vile or ridiculous images. The same spirit of whimsical paradox leads him, in Xenophon's *Banquet*, to urge that his own satyr-like visage was superior in beauty to that of the handsomest man present. That this irony was to some extent calculated is more than probable ; it disarmed ridicule by anticipating it, it allayed jealousy and propitiated envy : and it possibly procured him admission into gay circles from which a more solemn teacher would have been excluded. But it had for its basis a real greatness of soul, a hearty and unaffected disregard of popular opinion, a perfect disinterestedness, an entire abnegation of self. He made himself a fool that others by his folly might be made wise ; he humbled himself to the level of those among whom his work lay that he might raise some few among them to his own level ; he was ' all things to all men, if by any means he might win some.' "

It was said above that the first step in the Socratic dialectic was confutation or destruction—the negative side of the process ; but there was also a constructive or positive side, though it was not so conspicuous as the former.

After examining a number of instances—admitted facts taken from daily life, and generally accepted maxims—and drawing an analogy between them, Socrates proceeded step by step from one point of agreement to another, until he extracted the common element or elements, which he considered to be the very essence of the thing or quality in question. Having determined by this inductive process the underlying λόγος or principle, he formulated or endeavoured to formulate a definition, which was for him therefore " the declaration of the inner capacity of which the thing to be defined is the outer manifestation " (*x*). Then he applied the definition, in turn, to particular cases. " By this method of bringing back the argument to its true starting-point," observes Xenophon, " even the disputant himself would be affected and the truth become manifest to his mind " (*y*). These definitions he did not, of course, regard as final, but merely as a tentative contribution to the gradual structure of knowledge, which must ever stand the test of reason under the most searching dialectic scrutiny.

It was not the purpose of Socrates to create a system of true knowledge as a substitute for the prevailing false knowledge. His

(*x*) Cf. Boutroux, *Historical Studies in Philosophy*, Eng. trans., p. 44.
(*y*) *Mem.* iv. 6. 14.

main object was to introduce and insist on the right method to be used for attaining true knowledge, and his definitions—sharply discriminating for the first time genus, species, and individuals—were intended to illustrate the application of this method and to show the kind of foundation that is necessary for the subsequent structure. (This process of induction and the provisional definitions established by it constitute, therefore, the logical substratum of the Socratic method, of which the formal aspect is co-operative discussion by question and answer.)

The great desire of Socrates was to make men express themselves accurately (*z*)—truth rather than style being the object of speech (*a*)—to establish clear ideas, to get rid of confusion of thought, rather than remove ignorance; for in the age of Socrates, as in other ages, the intellectual stock-in-trade of people contained a multitude of confused ideas, some handed down by tradition in general, some due to bad education, some to accident or credulity or careless misinterpretation (*b*). Hence Socrates perpetually emphasised that it was indispensable to secure the accurate use of language, the employment of terms with clearly-defined and unambiguous meanings, which should be consistently preserved in their respective contexts; (for words are the vehicles of thought, and loosely used words must produce looseness of thought, (*c*). As Socrates is made to say—and the observation has profounder implications than appear at first sight: (To use words wrongly is not only an evil in itself, but it also infects the soul with evil) (*d*).

Socrates " thirsted for pure concepts " (*e*); and he believed that true knowledge could be attained, though it did not yet exist. He insisted that mere sense-perceptions could not in themselves be relied upon; before being accepted as proper material for

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(*z*) To the majority of the Athenians it seemed an affectation and triviality to pay scrupulous regard to precision of thought and speech: ἡ ἀκριβολογία μικροπρεπές. Aristot., *Eth. Nic.* iv. 4, p. 1122 b. Cf. Aristot., *Met.* ii. 3, p. 995 a; Plato, *Theaet.* 184 c, where Socrates is made to say: " The free use of words and phrases, rather than minute precision, is generally characteristic of a liberal education, and the opposite is pedantic; but sometimes precision is necessary." Diog. Laert. ii. 19, refers to a passage in Timon's *Silli* about Socrates' mockery of fine speeches.

(*a*) Cf. *Apol.* 18 a.

(*b*) Cf. Bacon, *Nov. Organ.* i. 97, in *Works* (ed. Spedding), vol. i., p. 201: " Itaque ratio illa humana quam habemus, ex multa fide et multo etiam casu, nec non ex puerilibus quas primo hausimus notionibus, farrago quaedam est et congeries."

(*c*) The Athenians in the time of Socrates had but rudimentary conceptions of grammatical relationships as well as of logical classification. Cf. A. Gräfenhan, *Geschichte der Klassischen Philologie im Alterthum*, 4 vols. (Bonn, 1846), vol. i, 55, 89 *seq.*

(*d*) *Phaedo*, 115 e.

(*e*) Gomperz, *op. cit.*, vol. ii., p. 45.

knowledge they must be subjected to critical investigation, that is to say, they must satisfy the dictates of reason, in which—despite the contemporary invasions of scepticism—he placed an unswerving faith and hope. Nothing could be truly known unless it were based on general conceptions so established (*f*). "It is not to multiply proselytes," Grote says, "or to procure authoritative assent—but to create earnest seekers, analytical intellects, foreknowing and consistent agents, capable of forming conclusions for themselves and of teaching others—as well as to force them into that path of inductive generalisation whereby alone trustworthy conclusions can be formed—that the Socratic method aspires" (*g*).

Thus, in his devastating dialectic method, as in his unparalleled life, his striking personal characteristics, and his uncompromising doctrines, Socrates presented a conspicuous contrast to the age in which he lived. He could not but come into conflict with it; and he could not, therefore, but arouse hostility against him among all sections of society. It is this hostility and how it led to his indictment that we have now to consider.

(*f*) Cf. Xen., *Mem.* iv. 6. 1; iv. 5. 12.
(*g*) *History of Greece*, vol. vii., p. 130.

CHAPTER VII

HOSTILITY TO SOCRATES.—POPULAR PREJUDICE

Φήμη γάρ τε κακὴ πέλεται κούφη μὲν ἀεῖραι
ῥεῖα μαλ', ἀργαλέη δὲ φέρειν, χαλεπὴ δ' ἀποθέσθαι.
φήμη δ' οὔτις πάμπαν ἀπόλλυται, ἥντινα πολλοὶ
λαοὶ φημίξουσι· θεὸς νύ τίς ἐστι καὶ αὐτή.

(Hesiod.)

(How easily some light report of ill
Is set on foot, how grievous 'tis to bear,
How hard to throw aside. Ne'er rumour dies
That has been spread abroad by common talk,
For she is counted 'mongst the immortal gods.)

Ἀνοητότατοι γάρ εἰσιν οἱ λογοποιοῦντες.

(Demosthenes.)

(Most senseless are the fabricators of rumours.)

Nihil est autem tam voluere quam maledictum; nihil facilius emittitur; nihil citius excipitur, nihil latius dissipatur.

(Cicero.)

(Nothing flies so fast as calumny; nothing is easier to utter; nothing is more readily listened to, and nothing spreads more widely.)

It has been suggested by a recent writer (*a*) that there is no evidence to show that Socrates had been an object of popular dislike till the time of his prosecution, and that the attack of the comic writers expressed only the views of a group of literary men. The latter part of this statement is an unjustifiable assumption, which will be considered in the following chapter (it will, indeed, be indirectly refuted, to some extent, even in this chapter); the former part is an erroneous pronouncement. To say that there is no evidence, when we have actually on record the numerous statements of Plato and Xenophon, and, what is more, Socrates' own express declaration before his judges (the essence of which is not rejected by that writer, who has even built up a life of Socrates on Plato's evidence (*b*)) is, to say the least, a strange and unaccountable assertion. (We may add also, in the meantime, the caution that even if positive evidence of his being the object of

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(*a*) A. E. Taylor, *Varia Socratica* (Oxford, 1911), "The impiety of Socrates," pp. 1–39; at p. 1.

(*b*) It is right to add that Professor Taylor's paper, *Plato's Biography of Socrates*, appeared subsequently (1917); but there is nothing in it that modifies his previous statement.

popular dislike were not available, this does not, of course, prove that Socrates was not popularly disliked. When we consider the labours of pioneers, the difficulties of ardent souls in advance of their time who are possessed of a burning zeal to lead their fellow-creatures to the light, and who persistently goad them—like a "gadfly"—to quicken and chasten their intellect, we are justified in believing, through our commonsense and our knowledge of the experience of other great innovators, that much hostility must have been engendered thereby. But in the case of Socrates we have no need to rely on such an *a priori* inference: for there is evidence ample and irrefutable.)

Now, it is within all human experience that nobody, especially one who is inflated with self-esteem, likes to be humiliated or to be "shown up," above all before other people. Those who pretend to be philanthropists, and are exposed as selfish schemers do not conceive affection for the one who has exposed them; those who lay claim to certain knowledge or to some particular capacity or power, and are demonstrated by a keen and persistent critic to be ignorant or to be impudent shams are not wont to express their gratitude to their assailant. In every popular assembly, indeed in the daily experience of all of us, we see exhibitions of jealousy, spite, and antagonism manifested by people against those who prove them to be sailing under false colours. And long after such discomfiture or unmasking, even when it appears to have been forgotten, an unpleasant memory of the experience often remains with the victims.

In seeking a reliable conclusion on such a question, we must, then, have regard to commonsense and to the universal experience of mankind; we cannot confine ourselves strictly to demanding direct and explicit documentary evidence for every inference that is warranted by commonsense. But, apart from this, the whole tenor of the Socratic writings of Plato and Xenophon shows circumstantially and indubitably that the activities of Socrates aroused in various quarters jealousy, enmity, spite, and rancour against him; that he was openly abused and reviled from time to time. Now the testimony of Plato and Xenophon is, of course, posthumous evidence as regards Socrates, and therefore could not have been utilised for the purpose of his defence at the trial; but we are not concerned at present with the point of view of his judges and with their consideration of the available evidence as it existed then and as it was submitted to them. In other words, our inquiry at present is not a legal one, but a historical one; that

is to say, our question is, Is there evidence *for us* to show that Socrates was popularly disliked ?

It has been suggested also that the hatred of Socrates could not have been very serious, seeing that he was for so long a period allowed to continue his vocation unmolested by the law. But this is obviously an illogical argument. The fact of such non-molestation is certainly good evidence that Socrates was not prosecuted for a long time (if the tautology be excused) : it is by no means evidence that he was not disliked by many people, including even the governing authorities.

Plato makes Socrates say (*c*) that the Athenians will pardon a man for possessing wisdom, but not for his teaching it, that is, of course, teaching that is not to their taste. Even if such an observation is not historical, its evidentiary value as to the attitude of the public towards such a new teacher as Socrates was is not impaired. (So many readers are apt to lose sight of this point that it needs to be emphasised.) And this new teacher was one who gave men no peace, whether they were rich or poor, high or low, who kept on stirring them up and asking them awkward questions, everywhere, in season and out of season. Socrates is represented as saying to his judges that he " is a sort of gadfly given to the State by the god ; and the State is like a great and noble steed which is tardy in its motions owing to its very size, and requires to be stirred into life. I am that gadfly which God has given the State, and all day long and in all places am always fastening upon you, arousing and persuading and reproaching you. . . . I dare say that you may feel out of temper (like a person who is suddenly awakened from sleep), and you think that you might easily strike me dead as Anytus advises, and then you would sleep on for the remainder of your lives, unless God in his care of you sent you another gadfly " (*d*).

Many who were thus fastened on, stirred up, mercilessly questioned, and exposed became, without Socrates' desiring it, laughing-stocks to beholders, who enjoyed and sometimes applauded the exposure. Socrates is represented as saying to his judges that people delighted in continually conversing with him and listening to his conversation, because they liked to witness the cross-examination of pretenders to knowledge—they were so amused by it (*e*). To turn men inside out, especially the

(*c*) Cf. *Euthyph.* 3 c.
(*d*) *Apol.* 30 e–31 a.
(*e*) *Apol.* 33 c.

pretentious, the pompous, and the conceited, is as enjoyable to spectators, as it is hateful to the victims : all the more so, when it is done with such delightful irony, with such tantalising blandness and self-possession. But the operation, alas ! has its aftermath of bitterness and hate. Men are grateful to a surgeon who discovers in their bodies a malignant growth and endeavours to remove it ; they give little thanks to one who discovers in their minds a canker—a " lie in the soul "—and endeavours to remove it.

" I do not much wonder," says Macaulay, " at the violence of the hatred which Socrates had provoked. He had, evidently, a thorough love for making men look small. There was a meek maliciousness about him which gave wounds such as must have smarted long, and his command of temper was more provoking than noisy triumph and insolence would have been " (*f*).

We may accept this description—except the " maliciousness " (unless it was used in the French sense, and apparently it was not). " Maliciousness " implies ill-will, a desire to do harm : Socrates was far from desiring to do harm to anyone ; it was not maliciousness—it was the beneficence of the intellectual surgeon who had to use, with a view to purging and healing, a sharp lancet for pricking swollen pretentiousness, self-sufficiency, and hypocrisy.

To make matters worse, Socrates did not take fees ; he " poured himself out " to everybody indiscriminately, and he said he was even prepared to pay for listeners, if he could not get them otherwise. This practice in the first place incensed the Sophists, who charged fees, and who sometimes tried to entice some of Socrates' hearers ; secondly, it made others think that his teaching could not be of great value, seeing that he imparted it to everybody gratuitously. And to the minds of those who objected to his teaching, the fact that he imparted it gratuitously aggravated his offence.

Moreover, in every age there are numbers of people of conservative tendency, who are strongly attached to inveterate custom and tradition, who do not relish liberty of speech and free expression of views in the Press on the part of such as are animated by a spirit of innovation, a sceptical disposition, a proneness to apply with thoroughness and pertinacity the test of reason to cherished convictions and institutions. We see this in every country.

(*f*) G. O. Trevelyan, *Life and Letters of Lord Macaulay* (London, 1908), chap. xiii., p. 603. (From his diary for July, 1853.)

Other peoples, besides the Athenians, have had a dislike for enlighteners. In England, for example, at the end of the eighteenth century and the beginning of the nineteenth conservative judges, ministers of State, and Members of Parliament, appealing to " the wisdom of their ancestors," expressed their horror at the attempts of good, wise, and unselfish men to humanise a little the existing criminal law with all its barbarism, excesses, inconsistencies, and consequent miscarriages of justice (*g*). Similarly with other epochs of innovation and reform. And so it was in the Periclean age. There were those who detested what they regarded as the busybody and inflammatory activities of Socrates. They misinterpreted the purpose and exaggerated the danger of the destructive elenchus ; they failed to see its importance as a preparatory function for paving the way to better knowledge ; and they were altogether blind to the constructive element of the Socratic dialectic.

The suspicion and disquietude of such people must have been intensified by the fact that Socrates addressed himself with such unremitting ardour and relentless reasoning to fundamental notions, which to their minds were beyond doubt and controversy. He actually had the temerity to raise such questions as : What is justice ? What is piety ? What is virtue ? What is temperance ? What is courage ? When may a State be considered efficient ? Is democracy really the best form of government ? What is a man's real good ? What are the true interests of a nation ? and so on. To ask questions like these seemed to people with settled, though unexamined, beliefs to be stirring up trouble. But to pursue these enquiries in such great detail and with such unabated obstinacy, and to reveal contradictions and absurdities in generally accepted views and institutions seemed like the sinister procedure of an irresponsible revolutionary.

The wonder is, indeed, that he was allowed to prosecute his vocation undisturbed for so long a time. Besides, Socrates, though he was one of the very greatest of the sons of men, was not an impeccable god. He used a drastic instrument—the dialectic method—that was liable to be abused, and sometimes he carried it to excess. Even taking Plato's polished dialogues in themselves, which were written after the event and with sufficient time for careful consideration and adjustment, we observe here and there a weakness in the argument, a failure to take into

(*g*) Cf. the present writer's *Three Criminal Law Reformers* (London, 1923).

account fully and fairly the contention of an opponent; and we also become sometimes a little irritated by the continuous argumentativeness, a little weary of the interminable involutions of arguments that might have been disposed of more concisely and more expeditiously. And it is hard to believe that Socrates' oral discussion pursued its arduous way with such smoothness, with such limpid and gloriously beautiful style, and with such engaging dramatic variety, as Plato's written dialogues do;—and this, in spite of the fact that Plato himself, through the mouths of Alcibiades and others, pays his master such a magnificent compliment for the fascination and effectiveness of his discourse (*h*).

The frequent repetitions—not altogether avoidable in the thoroughgoing and ubiquitous application of his method of reasoning from first principles—and the constant use of homely and stock illustrations and comparisons—which were appropriate enough for the purpose of drawing his conclusions and effective in his way of enforcing the result of a particular argument—and his unfailing ironical humour: all these peculiarities could not but give annoyance to some interlocutors and bystanders. Xenophon gives an example (*i*) in the case of the meeting between Socrates and the famous Sophist Hippias of Elis.

"Hippias had just arrived at Athens after a long absence, and chanced to be present when Socrates was telling his listeners how astonishing it was that if a man wanted to get another taught to be a shoemaker or carpenter or coppersmith or horseman, he would have no doubt where to send him for the purpose (*k*). 'People say' (*l*), he added, 'that if a man wants to have his horse or his ox trained in the right way, there are instructors enough; but if he wants to learn justice himself, or have his son or his slave taught it, he does not know where to find such instruction.'

Hippias, hearing these words, exclaimed in a tone of raillery: 'What! still repeating the same old talk, Socrates, that I long ago heard from you?'

'Yes' (answered Socrates), 'and what is still more astonishing, Hippias, it is about the same old topics too. Now you, I daresay, are so learned that you never say the same thing twice over on the same subject.'"

We have already referred to Plato's account of the discussion

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(*h*) See *supra*, p. 73.
(*i*) *Mem.* iv. 4. 5–6.
(*k*) Cf. Plato, *Apol.* 20 a.
(*l*) See Dakyns' note, *ad loc.*, in regard to the text here.

between Socrates and Callicles, when the latter exclaimed with impatience that Socrates was always talking in the same way, that he was continually referring to cobblers and fullers and cooks and doctors, as if this had anything to do with the argument (*m*).

Again, some people found it awkward and perplexing when they were suddenly called upon to use words with strict accuracy and with contextual uniformity, and to give reasons for their views, without involving themselves in self-contradiction or other inconsistency. Cross-examination that brought about this effect they called sophistry. Xenophon relates a story of the young Alcibiades, then a disciple of Socrates and more or less an imitator of the Socratic method of discussion. He once engaged his guardian, the great Pericles, in a discussion on law. Pericles, finding himself in difficulties over definitions, and being compelled to retract one statement, and to assent to another that appeared doubtful in its novelty, observed : " At your age we were clever hands at such quibbles ourselves. It was just such subtleties which we used to practise our wits upon ; as you do now, if I mistake not " (*n*).

Now, there was a world of difference in the attitude, aim, and mode of reasoning of Socrates from the attitude, aim, and mode of reasoning of the Sophists. But sections of the people who became aware of the pernicious influence of many of the Sophists (*o*) put him in the same category with them ; and some people, no doubt quite conscientiously, came to regard him as a veritable arch-Sophist. He employed against the Sophists, it was thought, their own weapons and defeated them in eristic displays ; so that he was accounted to be only more crafty and ingenious than they in the tricks and subtleties of argumentation. To unobservant citizens, then, to citizens who were ready to jump to conclusions from the flimsiest data—and such citizens form a great part of the population in every country—the Socratic cross-examination was only the sophistic debating method writ large : the conciliatory tactics of the Sophists adopted towards their fee-paying pupils, their superficial investigation of practical affairs, their frequent use of quibbling and seductive fallacies, were not dis-

(*m*) *Gorgias*, 490 e–491 a.
(*n*) *Mem.* i. 2. 46.
(*o*) Cf. Plato, *Meno*, 91 b, c, 92. Plato puts into the mouth of Anytus, the principal accuser of Socrates, these words : " I only hope that no friend or kinsman or acquaintance of mine, whether citizen or stranger, will ever be so mad as to allow himself to be corrupted by them ; for they are a manifest pest and corrupting influence to those who have to do with them."

tinguished from the Socratic search for truth and profound inquiry into fundamentals.

Again, not only Socrates' method but also his doctrines gave offence. The expression of his ideas generally seemed to many as impertinent as it was paradoxical. To hold seriously that virtue was the same as knowledge, when everybody knew there was a great difference between them ; to confess—as he did at times—that he did not know what virtue was, when everybody was certain about it ; to hold that no man was or did evil of his own free will, when there were both in public and private life so many examples clearly showing the contrary ; that no man should do harm to his enemies, when life's experience proved that such forbearance was fatal ; that only the wisest should govern the State or command the army, when he himself admitted he did not know what wisdom was and often demonstrated to his own and his friends' satisfaction that there were no wisest ; that each one should apply the test of reason to everything, even sons to the claims, capabilities, and authority of their fathers, when all the while he showed that nobody possessed adequate reasoning skill, and when all fathers knew that they possessed greater knowledge and competence than their sons ;—to advance such views aroused diffidence and suspicion on all sides, and made many convention-loving citizens think that Socrates took a wicked delight in probing things that were obvious to all, in casting doubt on matters clear to everybody and accepted by all sane men, and, worse still, that he was bent on subverting morals, the foundations of political society, paternal authority, and corrupting the young men with whom he came into contact.

Other people took umbrage at his abstention from public and political life, while he severely criticised the politicians who did devote themselves to public life, and even cast imputations at the statesmen of a preceding generation who were generally venerated as wise and great patriots. Obviously, the man in the street could scarcely refrain from blaming Socrates for stigmatising what others did, and yet not doing or attempting anything better himself. Such an observer might well think that Socrates with all his fussy activities was producing nothing ; that though he was always puzzling and pulling everybody to pieces, he was himself always doubting, always arriving at negative results, and never offering anything tangible. Men complained that questions they asked him were answered by him by means of other questions put to the questioner. We are not surprised, then, that such

men, altogether failing to appreciate the real purport of the Socratic procedure, thought of Socrates as a useless disturber. It was, no doubt, in consequence of this view that many who sought such information and skill as could be quickly and advantageously applied to practical affairs, and who had in vain attended the discourses of Socrates, turned to the ready-made instruction of the professional Sophists (*p*).

Whilst some of the Athenian citizens identified Socrates with the Sophists, others confused him with the natural philosophers, many of whose doctrines were considered dangerously heterodox. But there was far less excuse for making the latter mistake than for making the former. However this may be, when a man becomes notorious through his extraordinary character and personality, when he propounds novel ideas and inapprehensible doctrines, when he is talked about by everybody and is caricatured on the stage (*q*) for the uproarious laughter of a large miscellaneous audience, any careless misinterpretation is deemed to be applicable.

To the hostility of sections of the general population was added that of certain special classes. The professional Sophists, many of whom Socrates regarded as intellectual prostitutes and against whom he waged his life-long war, were adepts in the art of vituperation ; and they were not loath to excite hate and suspicion against an object of their own aversion amongst their followers. It is, however, very doubtful whether it was the Sophists who had instigated Anytus and Meletus to prefer against Socrates the charge of impiety and of corrupting the youth. In the first place their political influence in Athens was negligible ; and secondly they were well aware that a similar accusation might be brought against themselves by adherents of Socrates by way of retaliation. Thus it is very improbable that they played a direct part in the eventual impeachment of Socrates ; but there is no doubt that they contributed to increase the volume of hatred against him.

(*p*) Cf. Xen., *Mem.* i. 2. 39, 47 ; Plato, *Meno*, 80 a. The *Cleitophon*, a dialogue that was attributed to Plato in ancient times, emphasises this. Even if it is not a genuine work of Plato, it is admissible as evidence to indicate some, at least, of the contemporary views regarding Socrates' method as compared to that of the Sophists. The dialogue represents Cleitophon as expressing his intention to have recourse to the Sophist Thrasymachus, on the ground that Socrates either did not know what virtue was, or he would not tell (410 c) ; and he added this observation : " I will say, Socrates, that you are worth everything to a man who has not yet undergone the protreptic impulse to virtue ; but to one already incited, you are all but an obstacle to his attaining happiness through virtue " (410 e).

(*q*) See the following chapter.

The poets also bore him a grudge : for he had assimilated them in many respects to the Sophists. He reproached them for their inability to justify or give an intelligible account of their own works, and above all for pretending on the strength of their poetry that they possessed wisdom (*r*).

The religious views of Socrates were not acceptable to the priestly classes nor to the majority of the aristocratic party ; and his frequent references to his daemonium increased their distrust and hostility. To assail religion, as Socrates did in various particulars, was considered by those who were opposed to the growing scepticism to be tantamount to an attack on the State, inasmuch as the State and the national religion were deemed to be inseparably associated.

Not only did Socrates' actual views, his method of discussion, and his abstention from public life excite dislike and hostility ; his very habits were misconstrued. To despise what others strive for, to live deliberately a life of poverty and almost beggarly deprivation was unintelligible to many ; some—mindful of the spread of Orphicism and Pythagoreanism—thought it a sinister mystification on his part, others a hypocritical affectation and cunning concealment of private vice. His physical person was unprepossessing and altogether contradictory to established notions of comeliness : therefore it was inferred that his mind did not conform to his professions. To the ordinary citizen it seemed, indeed, in so many things that he was of another world, and that he could not fit in at all with the existing Athenian society. Alcibiades said that Socrates was like a mask of Silenus containing a god within : the ordinary citizen saw the Silenus, but had not sufficient perception and discernment to recognise the god.

No wonder, then, that Socrates in his address to the judges remarked that, in the face of the persistent attacks on him made by poets, orators, statesmen, and artisans alike, he could not hope to remove, in the short time at his disposal, the prejudice that had grown so great (*s*). And we might add that had there not been in Athens a very large measure of toleration in practice Socrates would certainly have been put out of the way long before he reached his three score and ten. To what extent toleration existed, and how far religious intolerance was operative in the

(*r*) Cf. Plato, *Apol.* 22 c.
(*s*) *Apol.* 24 a.

case of his ultimate prosecution we shall consider later (*t*); but for the present it is necessary to supplement our consideration of the general prejudice and hostility manifested against Socrates by an examination of the attack made by Aristophanes.

(*t*) As to toleration in Athens, see *infra*, p. 216; and in regard to the charge of irreligion, see *infra*, chap. xiv.

CHAPTER VIII

ATTACK OF THE OLD COMEDY, AND NOTABLY OF ARISTOPHANES.

Contra potentes nemo est munitus satis ;
Si vero accessit consiliator maleficus,
Vis et nequitia quidquid oppugnant, ruit.
(Phaedrus.)
(Against the mighty none are fully armed ;
Join but with them an evil counsellor,
Opposed to might and malice nought can stand.)

Non est jocus esse malignum.
Nunquam sunt grati, qui nocuere sales.
(Seneca.)
(Malice is not jest ;
There's nothing pleasing e'er in wit that stabs.)

In many countries and in many ages there have been wars between poetry and philosophy or between poetry and science—to take the distinction drawn by De Quincey, between the " literature of power " and the " literature of knowledge "—the former representing productions due chiefly to poetic inspiration and imagination, to emotional impulse, the latter representing productions due in the main to the operation of reason, to intellectual analysis and construction.

Thus about the middle of the ninth century B.C., the philosopher Xenophanes of Colophon, the founder of the Eleatic school (who was also a poet), not only opposed much of the orthodox religion, especially the irrational aspect of the anthropomorphic gods, but also protested against the general acceptance of the poets Homer and Hesiod as teachers of Greece. He saw little more in their works than stories of adultery, theft, and deceit held up for the admiration of the people. He complained that many things that men considered mean and dishonourable were attributed to the gods. This reminds us of the later critical views of Socrates in regard to the irrational elements of Greek religion, and of the powerful onslaught of Plato directed against poetry. Xenophanes inveighs against his generation for believing that the gods are born, have bodies, speak, and dress like men ; and he observes that if horses or cows or lions could make images of their gods, they would fashion them in the shape of horses, cows, or lions, as the case might be.

The poets, especially the comic poets, were not slow in retaliating. From the earliest times comedy showed itself to be opposed to new ideas. The conflict between the Old Comedy and philosophy (or science) may pretty accurately be described as a conflict between the spirit of conservatism and that of progress. The Old Comedy, which was recognised as a public institution after the Persian wars and obtained a place in the national competitions, constituted itself a censor of philosophy, science, and art, as well as of politics and public life. Assuming an inquisitorial function it arrogated to itself, as a French writer remarks, the right of exercising police supervision over the various activities within the city : " L'Ancienne Comédie s'était arrogé le droit de la police de la cité " (*a*). It constantly assailed the demagogic sycophants, though its own house on the score of sycophancy was by no means in order (*b*).

In their self-imposed functions comic dramatists resorted to violent criticisms, unrestrained personal abuse, extravagant burlesques, and far-fetched buffoonery. Indeed, during the Samian war (439 B.C.) Pericles found it necessary to place for a time legislative restrictions on the growing licence of the comic playwright, on the ground that it would inspire with prejudice the strangers in Athens and citizens of the subject States. Similar precautions had to be taken in 416 B.C.

The first master of comedy was Magnes (*fl. c.* 460 B.C.), who forestalled Aristophanes in the use of a chorus of animals, such as birds and frogs. Crates (*c.* 449–425), in his comedy *Beasts*, anticipated Aristophanes' introduction into his *Clouds* of the Just Reason and the Unjust Reason ; but he was free from the personal abuse to which later comic dramatists were given.

More important than these two writers was Cratinus (*c.* 450–422), who made such audacious attacks on personages (for example, Pericles, and Lampon, the seer and exegete, the highest authority in Athens on matters of religion), on politics, philosophy, newly introduced forms of worship, innovations in music, etc., that he received the well-deserved epithet of " the people's lash." He extolled the old-fashioned ignorance of reading and writing, and deplored the new-fangled education in such superfluous accomplishments ; he contrasted his degenerate age with the " good old days." His *Panoptae*—a nickname for the philosophers who " knew everything "—was probably the forerunner

(*a*) J. Denis, *La comédie grecque*, 2 vols. (Paris, 1886), vol. ii., p. 1.
(*b*) *Ibid.*, p. 2.

of Aristophanes' *Clouds* (*c*), in its burlesque of contemporary science. Cratinus inveighed against the "water-theory" of Hippo of Samos, and represented the latter philosopher as regarding the sky as an oven, and men as cinders enclosed in it. Aristophanes makes use of a similar jest with regard to Socrates (*d*).

Pherecrates produced mythological travesties, made attacks on Alcibiades, and brought on the stage Aeschylus, whose merits were questioned.

Telecleides, who flourished at the same time as Cratinus and a little earlier than Aristophanes, also attacked Pericles, regarded Socrates with detestation, and held him responsible for Euripides' productions, which had so much offended orthodox beliefs and sentiments.

Ameipsias twice defeated Aristophanes in the literary competitions. His *Connus*, which took its title from the musician of that name mentioned by Socrates as his music-master (*e*), gained the second prize when Aristophanes was third with the famous *Clouds* (423 B.C.), whilst Cratinus was first with his *Wine-bottle* (Πυτίνη). It describes Socrates as a most foolish man, who studied everything except the way to procure a new cloak, and who "was born to spite the cobblers" (*f*) (that is, because Socrates, like many others, went about barefoot). One of the stock jests of the comedians was that when Socrates appeared in a new gaberdine, it was declared that he had stolen it, because he could not afford to buy one. Such extravagant jests he would not, of course, take seriously (*g*). One of the most interesting features of this play, from our present point of view, is that its chorus was composed of "thinkers" or "ruminators" (φροντισταί)—a significant analogy to the "thinking-shop" (φροντιστήριον) of Socrates portrayed by Aristophanes in the *Clouds* (*h*).

Eupolis (*c.* 429–411) was a contemporary of Aristophanes; they were not only rivals but also imitators of each other, and probably occasional collaborators. The *Flatterers* won the first prize, when Aristophanes gained the second with his *Peace* (421 B.C.). Eupolis was violent in his personal abuse of politicians, philosophers, and

(*c*) Cf. W. J. Starkie, *The Clouds of Aristophanes* (London, 1911), p. xxx.
(*d*) *Clouds*, 95–97.
(*e*) Plato, *Euthyd.* 272 c, 295 d. Cf. *Menexenus*, 235 e.
(*f*) Frag. 9, in T. Kock, *Comicorum Atticorum Fragmenta*, vol. i., p. 672: οὑτὶ τὸ κακὸν τῶν σκυτοτόμων κατ' ἐπήρειαν γεγένηται. Cf. Diog. Laert. ii. 28.
(*g*) Plutarch relates that when Socrates was once asked if he was annoyed by such representations, he replied that he was chaffed in the theatre as at a great banquet: Οὐκ ἀγανακτεῖς, εἰπόντος, ὦ Σώκρατες; Μὰ Δί' οὐκ ἔγωγε, ἔφησεν, ὡς γὰρ ἐν συμποσίῳ μεγάλῳ τῷ θεάτρῳ σκώπτομαι. (*De Educ. Puer.*, c. 14, p. 10 c.)
(*h*) See *infra*, p. 173.

generals. In a play of his entitled the *Demes*, he held up to scorn the Athenian military leaders of the time, and brought back to life their great and noble predecessors, Miltiades and Themistocles, Aristides and Pericles, that they might witness and lament over their decadent city :

" Men of lineage fair
And of wealthy estate
Once our generals were,
The noble and great,
Whom as gods we adored, and as gods they guided and guarded the State.
Things are not as then.
Ah, how different far
A manner of men
Our new generals are,
The rascals and refuse our city now chooses to lead us to war ! " (*i*).

For the comic poets in general, things were never as they had been ; and new movements and ideas were usually signs of national deterioration. Hence Eupolis also disliked religious innovations, and assailed particularly the new worship of Cotytto. He was as bitter towards Socrates as he was towards Cleon and Alcibiades, and the worst profligates. He made fun of Socrates' poverty, and did not conceal his detestation of the philosopher whom he confused with the meanest class of Sophists and scientific speculators. " I abhor Socrates, that beggarly babbler, whose thoughts range through the universe, but how to get a dinner—he has taken no thought o' that " (*k*). It is noteworthy that Eupolis described Protagoras as a " natural philosopher," though he was no more one than Socrates himself. He pictured Protagoras as a blasphemer who searched the heavens and grubbed for his food in the dust-hole (*l*) ; and Socrates is shown as a guest who stole a soup-ladle. The earlier comedians had invariably eulogised the " good old times " and condemned Pericles the modern ; Eupolis, writing after the death of Pericles, also held up to admiration the days of yore as well as Pericles who belonged thereto.

So far as we know now, the most important, the most persistent, and the most elaborate onslaught on Socrates was made by Aristophanes, the greatest exponent of the Old Comedy. Aristophanes (448 B.C.–380 B.C.) was, like the other members of the Old Comedy group, a conservative. Indeed, a writer of comedy, satire,

(*i*) Cited by Bury, *History of Greece*, p. 428.
(*k*) Cited by Starkie, *op. cit.*, p. xxxiv.
(*l*) Frag. 146.

burlesque, is usually, if not invariably and inevitably, animated by a spirit of conservatism; for it is deviations from the normal, whether in regard to persons or social manifestations, that naturally lend themselves to comic, satiric, and farcical treatment, which is essentially destructive in its aim. Though at the date of the production of his first play, the pseudonymous *Banqueters* (Δαιταλεῖς) (427 B.C.), Athens was still the mistress of northern Greece and the islands of the Aegean, Aristophanes yearned for the glorious days of Marathon and Salamis, when the State was served by great and noble families of patriots and heroes.

Aristophanes saw in the condition and new tendencies of his time signs of deterioration on all sides—the military valour, the steady morality, the strict education, the honour, the manliness and sobermindedness, the decorum and simplicity of the past all vanishing (*m*). He saw, with dismay, the decline of the public religion, the introduction of new forms of worship, the spread of Orphic and Corybantic mysteries, the increase of private worship, the growth of asceticism and celibacy, the spread of free-thinking and atheism (*n*): in a word, religious confusion (*o*). He deplored the pernicious activity of the Sophists, with their empty quibbling and fallacious reasoning (*p*), and the fantastic notions of the ascetic scientists, the advancement of novel philosophic ideas and theories, which he regarded as idle and useless speculation; he disliked the busybody apostles of the new learning generally (*q*), and particularly the dialectic method of Socrates, with its disturbing effect and alleged barren results (*r*), and he condemned the effeminacy of the youth and the neglect of manly pursuits (*s*). Thus in most of his works he poured ridicule on the innovations in all phases of life, in education and morals (*t*), in religion and poetry (more particularly that of Euripides) (*u*), in manners and customs; as well as on the injurious democratic influence in political, judicial, and military administration, with the resulting hordes of turbulent demagogues and impudent sycophants (*x*): his satirical treatment of Cleon is unsparing and malignant in the extreme.

(*m*) Cf. *Clouds*, 882; *Knights*, 1316 *seq.*
(*n*) *Knights*, 32.
(*o*) See *supra*, chap. i.
(*p*) *Clouds*; *Frogs*, 1491.
(*q*) *Clouds*.
(*r*) *Clouds*.
(*s*) *Clouds*, 1054.
(*t*) *Banqueters*; *Clouds*.
(*u*) *Frogs*; *Thesmophoriazusae*; *Acharnians*, 393 *seq.*
(*x*) *Wasps*; *Acharnians*; *Knights*.

And yet, though he attacked democracy he by no means favoured the extreme oligarchical party which, actuated by its profound aversion from democracy and by its desire to recapture its former privileges, would have been prepared to make a traitorous surrender to Sparta (*y*). Similarly, whilst he was against religious innovations, he himself frequently satirised the gods, the priests, and the soothsayers, the practice of divination, oracles, and various religious ceremonies (*z*). Perhaps Aristophanes was sceptical in many respects and secretly opposed to some of the religious traditions, but thought that, in the interests of the State and the population at large, the orthodox belief and ritual should be maintained (*a*). Or it may be that he merely criticised certain aspects of the national religion by way of jest, for it was generally understood that the comedians assumed and were accorded much latitude (*b*). However this may be, we are here concerned, not so much with Aristophanes the poet, the sceptic, or the political and social censor as such, as with his representation of Socrates and its effect on public opinion. And for the consideration of this topic the few observations that have so far been made on Aristophanes and the other comic poets will have prepared the ground. First of all, then, we may look at the plot of the *Clouds*.

The opening scene is an interior. It is night, and dawn is approaching. Strepsiades, formerly a well-to-do countryman, now impoverished and driven from his farm into the city, is tossing restlessly on his bed ; and close by lies his son Phidippides fast asleep. Strepsiades is worried about debts due to the extravagance of his wife, and especially to the gambling of his aristocratic horse-racing son (*c*). He is considering how to extricate himself from his difficulties, and, ignorant, credulous, and ready to resort to any shift, an excellent scheme occurs to him. He wakes his son, and begs him to go to Socrates' school, a " thinking-shop " (*d*) of the new philosophers, the Sophists, who can,

(*y*) *Lysistrata*, 577.
(*z*) *Frogs ; Peace ; Birds.*
(*a*) Cf. L. L. Forman, *Aristophanes' Clouds* (New York, 1915), pp. 42–43.
(*b*) See *infra*, p. 192.
(*c*) It has been suggested that Phidippides was intended by Aristophanes to be a satire on Alcibiades : there is some ground for the conjecture. Cf. J. W. Süvern, *Two Essays on the Clouds*, etc., Eng. trans. (London, 1836), pp. 45 *seq.*
(*d*) φροντιστήριον, variously translated " thinking-shop," " notion-shop," " thought-factory," " reflectory," " contemplatory," " subtlety-shop " (Süvern), " pensoir " (E. du Méril), " Denkanstalt " (Droysen), " speculatorium," etc. The Greek word was made up by Aristophanes after the fashion of such words as δικαστήριον, and Philostratus tells us that Aeschines, probably in allusion to the use of this word by Aristophanes in his play, termed Rhodes σοφιστῶν φροντιστήριον. It is used as an ordinary word by late writers ; and in the writings of the Christian fathers it means " monastery."

for a fee, teach how to make the " worse " appear the " better reason " ; so that by acquiring rhetorical and argumentative skill he may be able to defeat the creditors (*e*).

But the young knight scorns to join the crew of " knaves and canters—the green-sickness carrions—the barefooted charlatans," of whom are " the gallows Socrates and Chaerephon " (*f*) ; therefore the father decides to go in his stead and, though an old man, dull, and with bad memory, must learn " the quiddities and quillets of the fence of words." He goes off to the house of Socrates and knocks at the door. It is opened by a disciple, who complains that the disturbance caused the miscarriage of an idea he had conceived (*g*). In answer to Strepsiades' inquiry about this idea the disciple, after pointing out its secret character, divulges some of Socrates' subtle speculations, for example, how many of its own lengths a flea has leaped, whether gnats hum through the mouth or the vent (*h*), the courses of the moon, and refers to the master's strange way of providing supper, and to his ingenious filching of a cloak from the palaestra (*i*). The applicant, impressed by these proofs of Socrates' wisdom, is all the more anxious to meet him.

The door of the thinking-shop then opens. Socrates inhabits a low-roofed cell (*k*). There are astronomical instruments, maps of the earth, and other evidences of mysterious science (*l*). The pupils are engaged in strange investigations ; some, with their heads fixed upon the ground, are trying to probe the secrets of Tartarus, whilst their rumps are studying astronomy. The master himself is seen suspended in the air in a basket high above the everyday world—a transcendentalist treading the air and deep in meditation on the paths of the sun. Strepsiades asks him to be

(*e*) All this may apply to many of the Sophists, but never to Socrates. Cf. Plato, *Phaedr.* 272 d.

(*f*) From the excellent prose translation by Starkie, *op. cit.* It has already been pointed out that many men, besides Socrates, wore no shoes at all.

(*g*) An allusion to Socrates' playful way of describing himself a practitioner of the maieutic art. See *supra*, p. 148.

(*h*) Questions of this kind may have been discussed sometimes by certain of the philosophers, but not by Socrates. Thus Aristotle seeks an explanation of the singing of insects (*An. Hist.* iv. 9. 3 *seq.*) ; but he took all knowledge for his province.

(*i*) There is, of course, no basis whatever for all these facetious representations. The jest about the flea's jump made a great impression. Cf. Xen., *Symp.* vi. 8 ; Lucian, *Prom.* 6.

(*k*) It was obviously the intention of Aristophanes to depict Socrates more or less after the fashion of the Pythagorean or Orphic devotees.

(*l*) That Socrates was not concerned with such things, except in his youth, is shown by Plato, *Apol.* 19 b, and Xen., *Mem.* i. 1. 11. In the *Phaedo*, however, Socrates is represented as speculating about the nature and locality of the other world (113 *seq.*). Astronomy was taught by the Sophist Hippias of Elis, and by others.

admitted a pupil, so that he may acquire the " gift of the gab " and learn the Unjust Reason—" that which turns a deaf ear to paying " ; and he swears by the gods that he will pay whatever fee is demanded. Whereupon Socrates tells him that " gods are not current coin " there, and that the only deities are the Clouds.

First, a solemn initiatory ceremony (*m*) is necessary. Strepsiades is seated on a sacred couch and is crowned with a chaplet ; whilst Socrates rubs together two pumice stones over his head, and dances round him. Socrates then, after the fashion of a mystic priest, invokes three divinities—the immeasurable Air, the resplendent Ether, and the august Clouds (*n*)—in a mysterious chant containing Orphic expressions ; and after peals of thunder the Chorus of Clouds (dressed as women) enters. Socrates informs the neophyte that the Clouds are great goddesses of the " men of leisure " : " these are they who fit us out with judgment and logical insight, with discourse of reason, cant and humbug, with circumstance, chicanery, and the binding spell of speech " (*o*) ; and " these goddesses have at livery a crowd of pedascules—Thurian seers, empiricutical artists, agate-ring clipped-nails sluggardised curled fops ; weavers of warped lays for the cyclic choruses—all astrological quacks in grain : such ne'er-do-wells as these live idly in their livery, because the theme of their lays is the Clouds " (*p*). Socrates gives Strepsiades further instruction concerning these deities, who express their readiness to hearken to the master's wishes.

" Our greeting to thee, O greybeard, ancient of days, who huntest upon the trail of the Muses' lore ; and [*turning to Socrates*] thou, high-priest of air-drawn trifles, tell us all thy desire. For not to any other of the transcendental philosophers, save alone to

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(*m*) This is a parody of Corybantic ceremonies or of the ceremonies of the Orphic Pythagoreans.

(*n*) The new thought of the time showed a monotheistic tendency ; and the Orphic Pythagoreans combined certain related divinities—usually three—into one. The air and the ether had already been considered gods ; but the deification of the clouds is an invention of Aristophanes.

(*o*) Cf. Rogers' translation, ll. 317–318 :

" These grant us discourse, and logical force, and the art of persuasion instil,
And periphrasis strange, and a power to arrange, and a marvellous judgment and skill."

(*p*) Trans. Starkie. Cf. Rogers' trans., ll. 331–334 :

" O, then I declare, you can't be aware that 'tis these who the Sophists protect,
Prophets send beyond sea, quacks of every degree, fops signet-and-jewel-bedecked,
Astrological knaves, and fools who their staves of dithyrambs proudly rehearse,
'Tis the Clouds who all these support at their ease, because they exalt them in verse."

thee and Prodicus (*q*), would we lend our ear : to him because of his wisdom and judgment, to thee that in the streets thou jettest like a pajock, and gazest askance, and hast 'an anchor's cheer' with unsandalled feet ; and, being patroned by us, art so majestical " (*r*).

Socrates then tells his pupil that the new god Whirligig (*s*) has superseded Zeus, and explains the cause of thunder (*t*). The Chorus promises Strepsiades happiness, if only he possesses or acquires certain qualities (*u*).

" O mortal wight, whose heart is set upon wit and pregnancy from our store, blest among the Athenians and all the Greeks wilt thou become, if thou art of memory keen, and a thinker, and thy heart is filled with endurance, and if thou knowest no weariness, whether standing still or walking ; nor complainest when shivering, nor hungerest for thy midday meal ; but refrainest from wine, and wrestling-schools, and suchlike fopperies, wotting, as should a man of wit, that the crown of bliss is to snatch the prize in the tug and scamble of the courts, and in the council-chamber's wordy war " (*x*).

Strepsiades now assures Socrates that he will not believe in any other gods but Chaos, the Clouds, and the Tongue, and devotes himself body and soul to them—

" If I can but shuffle off my debts, and appear to the world a thrasonical, plausible patch, a go-ahead knave, sheer bounce, a whoreson wretch, a mint of lies, a coiner of phrases, a Court hack,

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(*q*) Prodicus, a disciple of Protagoras, whose writings were condemned to be burnt. Prodicus was put to death by poison for teaching doctrines that were alleged to have corrupted the Athenian youth. As R. Cumberland remarks, " There was something prophetic in thus grouping him with Socrates." (Trans. of the *Clouds* (1797), p. 44.)

(*r*) *Ibid.*, ll. 358–363.

(*s*) Δῖνος, variously translated as Revolution, Vortex, Whirligig. It was a doctrine ascribed to Anaxagoras, whose lectures Socrates is supposed to have attended.

(*t*) Here Aristophanes confounds Socrates with Anaxagoras ; cf. Diog. Laert. ii. 3. 9.

(*u*) Obviously a hit at Socrates, and confusing some of his well-known characteristics with those of the " ascetic scientists."

(*x*) *Ibid.*, ll. 412–419. Cf. Rogers' translation :

" O thou who wouldst fain great wisdom attain, and comest to us in thy need,
All Hellas around shall thy glory resound, such a prosperous life thou shalt lead :
So thou art but endued with a memory good, and accustomed profoundly to think,
And thy soul wilt inure all wants to endure, and from no undertaking to shrink,
And art hardy and bold, to bear up against cold, and with patience a supper thou losest :
Nor too much dost incline to gymnastics and wine, but all lusts of the body refusest :
And esteemest it best, what is always the test of a truly intelligent brain,
To prevail and succeed whensoever you plead, and hosts of tongue-conquests to gain."

a walking code-book, a clapper, a fox, a gimlet, a cheveril glove, a rogue in grain, smooth as oil, a bragging Jack, a halter-sack, a scroyle, a boggler, a hard nut, a miching mallecho " (*y*).

Socrates, at the suggestion of the Clouds, subjects Strepsiades to an entrance examination, requires him to take off his cloak (*z*), and tells him that with diligence he may become the " counterfeit presentment of Chaerephon " (*a*). As he proves himself incapable of learning, Socrates is disposed to dismiss him with a flogging, but decides to waive the matriculation requirements and give him a trial. After some instruction Socrates becomes annoyed by the pupil's stupidity, is again minded to send him away, but gives him another chance; and, despite the pupil's wish to learn at once the art of defrauding, he is put through a quibbling catechism about metres, rhythms, and grammar (*b*), once more with unsatisfactory results. Thereupon Socrates bids him think out his affairs for himself—to survey them by items, with strict logical division and analysis (*c*). Strepsiades tries his hardest, but with such a complete failure that Socrates drives him away as a hopeless dunce.

By the advice of the Clouds, however, the expelled candidate begs his son to go to Socrates for the requisite instruction, and he mentions some strange fragments that he has picked up at the sophistic display. Phidippides thinks that his father is crazy,

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(*y*) *Ibid.*, 443–451. Cf. Rogers' translation, 439–451:

" So now, at your word, I give and afford
My body to these, to treat as they please,
To have and to hold, in squalor, in cold,
In hunger and thirst, yea by Zeus, at the worst,
To be flayed out of shape from my heels to my nape
So along with my hide from my duns I escape,
And to men may appear without conscience or fear,
Bold, hasty, and wise, a concocter of lies,
A rattler to speak, a dodger, a sneak,
A regular claw of the tables of law,
A shuffler complete, well worn in deceit,
A supple, unprincipled, troublesome cheat;
A hang-dog accurst, a bore with the worst,
In the tricks of the jury-courts thoroughly versed."

(*z*) This is never returned; the old jest about Socrates.

(*a*) A friend of Socrates (cf. Plato, *Apol.* 21 a). He was described as lean and pale, therefore termed a " bat " by Aristoph. (*Birds*, 1554), and a " son of night " (*Frogs*, 486)—black-haired, thin-voiced, indiscreet and impetuous (cf. Xen., *Mem.* ii. 3), dirty and dishonest, a sycophant and parasite. He was a butt at Athens both for his appearance and character. It was he who went to Delphi and brought back the famous answer that no one was wiser than Socrates.

(*b*) Socrates, of course, never taught such subjects, which fell within the province of Protagoras, Prodicus, and other Sophists.

(*c*) Allusion to the Socratic διαίρεσις, analysis with a view to classification; division of genus into species. Cf. Plato, *Phaedr.* 273 e; Xen., *Mem.* iv. 2; iv. 5. 12. It was supposed that Prodicus had originated the practice. Cf. Plato, *Protag.* 341 c; *Charm.* 163 d.

but after much objection, and with a warning that his father may one day rue it, he goes to Socrates. The master passes him on to the Just and the Unjust Cause (*d*), who are to reveal their respective characters to him so that he may be able to make his choice (*e*). The personified Causes (*f*) wrangle and abuse each other in an outburst of elaborate "billingsgate"; the Unjust Cause holds that there is no such thing as justice, whilst the Just Cause accuses the other of filling the town with "miching schoolboys," and of traitorously corrupting the Athenian youth.

The Chorus intervenes here and bids them describe their respective systems and ideals of education—the old and the new—so that Phidippides may decide to go to the school of one or the other. The Just Cause proceeds to describe what he believes the older Athenian education to have been: justice, temperance, modesty, simplicity, and respect for parents and elders were the fashion; decent athletic training made the pupils sleek and blooming, of fine form and physique, not stunted, misshapen, languid, and effeminate as now; good and bad were clearly distinguished, not as now when the base is considered honourable, and the honourable base,—such was the training that made the men of Marathon.

The Unjust Cause, stating that he has been called the "worse cause" because he first contrived the precious art of speaking against both law and justice, arrogantly replies in the fashion of the most depraved sophistry; he cynically derides virtue and the promptings of conscience, seeks to show that honesty is not the best policy, that the main thing is to avert the external consequences of one's acts, and holds up to admiration the modern system which makes pupils gay and frivolous, ingenious and unscrupulous, sensual and impious.

As the greater part of the public are thought to be guilty of this very shamelessness, the advocate of virtue throws up his brief,

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(*d*) The δίκαιος λόγος, and the ἄδικος λόγος. (Protagoras was called Λόγος by his contemporaries. See Aelian, *Var. Hist.* iv. 20.)

(*e*) They contend for the possession of Phidippides, after the manner of the contention between Virtue and Vice in Prodicus' "Choice of Hercules," which was probably familiar to the audience. (Cf. Xen., *Mem.* ii. 1. 21 *seq.*)

(*f*) Some commentators think that they were represented as two fighting cocks in osier cages; others, that the Just Cause appeared in the garb of Aeschylus, and the Unjust Cause in that of Euripides; others, again, believe that the Just Cause may have worn the mask of Aristophanes himself (or of an elderly sedate citizen), and that the Unjust Cause may have worn the mask of one of the notorious Sophists of the day (for example, Thrasymachus). In any case, they were intended to represent—and no doubt were so recognised at the time—the old and the new style of education and manners, as well as right and wrong.

takes off his cloak (*g*), and deserts to the ranks of the degenerate majority. Phidippides is then put into the charge of Socrates, who assures the father that he will receive his son back a clever Sophist.

In the meantime Strepsiades has been harassed by his creditors, and the last date for payment is fast approaching. Accordingly, he goes to the school to see how his son is progressing; and Socrates assures him that the pupil is now expert in wielding the worse cause, so that he can successfully disprove the debts, even if a thousand witnesses were present when the money was borrowed. Strepsiades therefore receives his son with joy, and notes that he looks "all negatious and contradictious"; and the son shows how dexterously he can apply his new learning. Whereupon the father conducts him to a congratulatory banquet.

During the banquet two creditors call and are easily routed, even by Strepsiades' own smattering of the irrefragable argument, with its alarming jargon; and they go away, threatening to take legal proceedings against him.

Strepsiades then returns to the banquet, but soon rushes out of the house howling, pursued by his son who has broken his father's head; and, conformably to his new arguments which the father cannot confute, he is about to resume the cudgelling. The father explains the origin of the quarrel. Though he was forced by necessity to adopt the new sophistic learning, his views of poetry and its moral purpose conform to the older ways: he believes that Simonides and Aeschylus are true poets, whilst Euripides is a corrupter of morals. And so when his son refused to sing any song from the first two and began a lewd air from Euripides, the father protested: thus the quarrel began, and the son at once resorted to violence. In a disputation between them, presided over by the Clouds, Phidippides proves that he is right to beat not only his father, but his mother too if need be. This last claim the old man cannot bear, and consigns Phidippides and his Worse Cause together with Socrates into the pit.

The distracted father reproaches the Clouds for misleading him; and they, now appearing as the champions of offended religion, reply that it is always their purpose to hurl the lover of evil into misfortune, so that he may learn to fear the gods. He confesses his error and begs forgiveness, saying that he has gone

(*g*) Probably an allusion to Socrates' removal of his disciple's cloak before the initiation ceremony.

crazy through prating ; but his son says to him, " Stay here, and rave and gibber to yourself," and then goes off. Strepsiades and his servant afterwards mount the roof of the thinking-shop and set fire to it. When the alarmed students ask him what he is doing, he replies mockingly that he is only " talking logic with the rafters of the house." Socrates, demanding what he is doing on the roof, Strepsiades again mockingly replies, " I tread the air and look down on the sun." Socrates and his students then rush out half-suffocated, and are belaboured and dispersed by the assailants (*h*).

The first thing that has to be noticed in considering the attack of Aristophanes is the date of the production of the *Clouds*, that is, 423 B.C. As Socrates was born about 470 B.C., he was therefore about forty-seven at that date. Hence Aristophanes' depiction of Socrates in this play cannot refer to the philosopher's later life—the quarter of a century of his maturity—which was known personally to Plato and Xenophon and so lovingly and admiringly described by them. Now we may say at once—and proof will appear presently—that, though the life of Aristophanes synchronises more approximately than do the lives of Plato and Xenophon with that of Socrates, yet where Plato and Xenophon differ from Aristophanes in regard to the life and work of Socrates, the testimony of the philosopher and of the historian entirely outweighs that of the comic poet.

But the question at once arises whether Aristophanes' portraiture of Socrates at about forty-seven years of age can be admitted by us to be substantially correct, even after we make the fullest allowance for the fact that it is the representation of a comedian who takes and is universally permitted to take certain liberties with his subject-matter and with the mode of his treatment. Our answer must be that whilst the *Clouds* of Aristophanes confirms and supplements in various minor points the accounts of Plato and Xenophon, substantially it is a downright misrepresentation ; and we may be sure that—considering the unity of Socrates' life, his life-long purpose, his persistent and consistent preoccupation —the nature of his life at forty-seven must have been very much the same as it was in his later years, when he was personally known to Plato and Xenophon.

(*h*) If the thinking-shop was intended by Aristophanes to represent Socrates' house, the question arises what happened to Xanthippe and her children.

It is important to note, too, in regard to the date of the *Clouds* and the position of Socrates at that date, that even if Aristophanes tacitly withdrew in later years, when Socrates became better known, some of the entirely inapplicable things said of Socrates in 423 B.C., he none the less saw fit nearly twenty years later in the *Frogs* (produced in 405 B.C. shortly after the victory of Arginusae and before the final overthrow of Athens in the Peloponnesian war) to attack again Socrates as an idle and quibbling arch-Sophist.

> " Right it is and befitting,
> Not, by Socrates sitting,
> Idle talk to pursue,
> Stripping tragedy-art of
> All things noble and true.
> Surely the mind to school
> Fine-drawn quibbles to seek,
> Fine-set phrases to speak,
> Is but the part of a fool ! " (*i*).

When we consider what sort of a man Socrates was—his unique personality, eccentric habits, peculiar appearance, single-minded devotion to a novel task, his seemingly revolutionary doctrines—we can readily recognise that it was very easy to burlesque him and to misrepresent him. As Plato makes Euthyphro point out to Socrates, Meletus thought Socrates a neologian and knew that such a charge would be unhesitatingly received by the world (*k*) ; and Socrates is represented as saying to his judges that his accusers made so many misrepresentations about him that they almost made him forget himself (*l*), and that these accusations and all the rumour and talk about him were due to the fact that there was something strange in him and that he was not like other men (*m*).

Now the conservative Aristophanes, as we have seen, heartily hated and despised neologians, the Sophists, the rhetoricians, the exponents of the new culture, the natural philosophers, the " ascetic " scientists, the " heaven-searchers," the assailants of religion, the sceptics ; and he thought he saw certain resemblances between them and Socrates. Plato represents Socrates and Aristophanes as fellow-guests at Agathon's banquet (*n*) ; but there is no evidence in Plato or Xenophon, or indeed in the works

(*i*) *Frogs*, ll. 1491 *seq.* (trans., Rogers).
(*k*) *Euthyph.* 3 c.
(*l*) *Apol.* 17 a.
(*m*) *Apol.* 20 c.
(*n*) *Symp.* 176 a.

of Aristophanes himself that he knew Socrates intimately, or that he gained what knowledge he had of him from actual acquaintanceship. Indeed, their natures were so opposed to each other that it is difficult to believe that they could have had any personal relations at all with each other (*o*). Probably the material Aristophanes had to work on was derived in the first place from a casual observation in the streets of Athens of the noteworthy figure of Socrates, and secondly—no doubt principally—from the current and more or less irresponsible talk of the market-place. For when we examine carefully the treatment of Socrates in his plays, it is difficult for us to believe that the comic playwright knew more about Socrates, his life and his work, his aim and his method, than the average intelligent citizen knew, who had not taken the trouble to investigate the veracity of the current rumour and the gossip of cliques and coteries. Hence the few superficial resemblances between Socrates and the various objects of Aristophanes' aversion, which the poet noted or was informed about, led him to conclude that they were also fundamentally akin, and that they were all tarred with the same brush. Like so many others of the time, Aristophanes sorely needed a little of the logical distinction and generalisation that Socrates tried so hard to inculcate. The *Clouds* certainly gives a vivid picture of some one designated Socrates: it may have been the Socrates of Aristophanes' fantastic imagining, it may have represented more or less the Socrates as seen by the man in the street; it certainly was not the Socrates of reality, the Socrates who exercised such a great influence on contemporaries and successors, who aroused loving devotion in his friends, who left a priceless legacy to the world, and who was the turning-point in the history of human thought and civilisation.

What, then, were these points of resemblance? The Sophists, or many of them, professed to know many things, and taught their pupils how to confute the arguments of opponents, even if they were right. Socrates, too, disproved repeatedly the untenable contentions of interlocutors, especially of the Sophists themselves, among whom he was often found, and whom he was ever ready to cross-examine. The Sophists frequently adopted a sceptical attitude. Socrates, too, was sceptical, inasmuch as he usually confessed ignorance and was always disposed to test the validity of this or that tradition and this or that convention by

(*o*) Cf. E. Meyer, *Geschichte des Alterthums* (Stuttgart, 1884, etc.), vol. iv. p. 429.

the exacting criterion of reason so dispassionately and so drastically applied. But Aristophanes did not see the profound difference between the aim, method, and attitude of the Sophists and the aim, method, and attitude of Socrates, who was in reality their greatest and most formidable enemy; the scientific dialectic of Socrates was put on the same level with the quibbling and debating jugglery of the Sophists; and the subjective principle of Socrates, intended for the purpose of clearing away spurious views and establishing instead sound ethical conceptions, was assimilated to the factitious subjectivity of the Sophists who aimed at mere victory in controversy.

Again, the rhetoricians taught their pupils the use of language, so that they might attain eloquence and persuasive power. Socrates, too, was concerned with the expression of thought; he emphasised always the importance of precise and consistent language, without which exact definition—the basis of sound reasoning and scientific progress—would be impossible. But Aristophanes did not realise what a world of difference there was between the purpose and procedure of the rhetoricians and the purpose and procedure of Socrates.

Further, the Orphic devotees practised or affected asceticism and poverty; they were sometimes seen in the streets with their ragged clothes, their pallet-beds, their pumice-stones, and the other paraphernalia used in their novel and suspected rites, which contained various Phrygian and Egyptian elements (*p*). Socrates, too, practised self-denial and severe simplicity; he was poor, he walked about with bare feet, and his clothes were threadbare. Therefore to Aristophanes the philosophical spirit of Socrates was very much like the religious attitude of the Orphicists; and so he attributed to him some of their characteristics, thinking that Socrates shared their mystification and charlatanry. The Pythagoreans, related to the Orphicists, had mysterious cults, and were given to contemplation. Socrates, too, thanks to his intense interest in the objects of his examination, had occasionally prolonged fits of abstraction; he also said he frequently heard a voice, which nobody else heard. Hence Aristophanes assimilated Socrates to the Pythagoreans, in many respects, without perceiving the fundamental unlikeness between them.

Again, Socrates had studied natural science, as expounded, for example, by Heraclitus, Anaxagoras, and Archelaus; but it was

(*p*) Similar ceremonies connected with Sabazius (the Phrygian Bacchus) are described by Demosth., *De Cor.* 259 *seq.*

only in his earlier life that he had done so, and soon gave the study up, as we have seen (*q*). But the earlier and abandoned scientific study of Socrates was, apparently, a sufficient justification for Aristophanes to represent him as still engaged in such study, and to associate him with the Ionian cosmologists and star-gazers, and more particularly with a certain group of " ascetic " scientists teaching strange doctrines about emancipation of the soul from the prison-house of the body.

An important point that should be remembered in regard to the representation of Socrates as a student and a teacher of science is that some ten years before the production of the *Clouds* a decree, proposed by Diopeithes, was aimed not only at those who avowedly disbelieved in the gods, but also at those who—impliedly disbelieving in them, or promoting such disbelief—taught theories about celestial matters. It was commonly thought that the study of natural science, and the consequent explanation of the phenomena of Nature in non-mythological terms would lead to irreligion and the overthrow of the national divinities. In every age there have been men who feared the extension of scientific knowledge, on the ground that religious faith might thereby be weakened, and the stability of the State as well as the harmony of social relationships might consequently be endangered. In every age there have been men who held that the masses, at all events, should not be encouraged to lose faith in the supernatural, that they should be encouraged to believe in heaven and hell, and so to recognise the supreme sanctions of conduct. And Aristophanes was of this opinion, despite the fact (which is not as strange and as uncommon as it seems) that he himself sometimes made fun of the gods, and, what is more, had a contempt for the populace and was not afraid to show it in the *Clouds* itself (*r*). His mockery of gods and priests, of oracles and religious ceremonies was, apparently, tolerated when it was portrayed on the comic stage for the amusement of the people during the festival season; whilst serious attacks were liable to prosecution. We find parallels to such discrimination in the Middle Ages (*s*).

(*q*) See *supra*, p. 40.

(*r*) For example, ll. 1098 *seq.*

(*s*) Cf. T. Wright, *History of Caricature and Grotesque in Literature and Art* (London, 1865), p. 207: " Our forefathers in those times were accustomed to form themselves into associations or societies of a mirthful character, parodies of those of a more serious description, especially ecclesiastical, and elected as their officers mock popes, cardinals, archbishops and bishops, kings, etc. They held periodical festivals, riotous and licentious carnivals, which were admitted into the churches, and even taken under the especial patronage of the clergy, under such titles as ' the feast of fools,' ' the feast of the ass,' ' the feast of the

It has been suggested (*t*) that as Aristophanes represents Socrates as the head of a scientific school, and the picture of the thinking-shop would be pointless on any other assumption, therefore the natural conclusion to be drawn therefrom is that Socrates succeeded Archelaus. But this is an untenable conclusion. In the first place, it involves the assumption that Aristophanes' representation is in this respect entirely accurate; and secondly, it makes the assumption that the introduction of the thinking-shop would be pointless, unless Socrates had been the head of a definite school,—whereas it might well be introduced for satirising other objects of Aristophanes' aversion, which have been pointed out: from such data, therefore, it is unjustifiable to draw the conclusion suggested (*u*). Furthermore, it is not certain that the

innocents,' and the like." Describing the "feast of fools" as celebrated in the churches, the same writer says (p. 210): "These dignitaries were assisted by an equally burlesque and licentious clergy, who uttered and performed a mixture of follies and impieties during the church service of the day, which they attended in disguises and masquerade dresses. Some wore masks, or had their faces painted, and others were dressed in women's clothing, or in ridiculous costumes. On entering the choir, they danced and sang licentious songs. The deacons and sub-deacons ate black puddings and sausages on the altar while the priest was celebrating; others played at cards or dice under his eyes; and others threw bits of old leather into the censer in order to raise a disagreeable smell. After the mass was ended, the people broke out into all sorts of riotous behaviour in the church, leaping, dancing, and exhibiting themselves in indecent postures, and some went so far as to strip themselves naked, and in this condition they were drawn through the streets with tubs full of ordure and filth, which they threw about at the mob. Every now and then they halted, when they exhibited immodest postures and actions, accompanied with songs and speeches of the same character. Many of the laity took part in the procession, dressed as monks or nuns." On the "feast of fools," see E. K. Chambers, *The Mediæval Stage* (Oxford, 1903), vol. i., pp. 274–335; and on the grotesque generally, see C. F. Flögel, *Geschichte des Grotesk-Komischen*, 2 Bde. (München, 1914).

(*t*) Burnet, in *Encyclopædia of Religion and Ethics*, vol. xi., p. 669.

(*u*) Professor Burnet elsewhere asserts (*Greek Philosophy*, p. 148) that Xenophon knew that what Aristophanes burlesqued as the thinking-shop was a reality. The ground for this assertion is that Socrates, represented as telling the Sophist Antiphon of his delightful intercourse with his friends, is made to use these words: "The treasures also of the wise of old (*τῶν πάλαι σοφῶν ἀνδρῶν*), written and bequeathed in their books, I unfold and peruse in common with my friends. If our eye light upon any good thing we cull it eagerly, and regard it as a great gain if we may but grow in friendship with one another" (*Mem.* i. 6. 14). We cannot reasonably infer from these words that Socrates had seriously continued the study of natural science beyond the years of his early manhood—besides, the term "the wise of old" may well apply to the poets Homer and Hesiod, whom Socrates was fond of quoting; and it is unjustifiable to conclude that these words of Xenophon show that he really knew that the thinking-shop of the *Clouds* had a basis in fact. Again, the same writer says that Xenophon, elsewhere in his *Memorabilia* (iv. 7. 3–5), gives additional testimony of Socrates' scientific study in his list of subjects, "which correspond exactly to the most highly developed mathematics and astronomy of the time." But Xenophon simply mentions certain things in mensuration and astronomy which, in the opinion of Socrates, were worth knowing for purely practical purposes; and he adds that Socrates was versed in the subtleties of astronomy and geometry, but did not recommend his friends to waste their time on such matters. All this does not show that Socrates continued to pursue scientific investigations; it is quite consistent with the fact that in his earlier days he had acquired such knowledge and had not forgotten it. Xenophon adds these words, as expressing the view of Socrates: "Indeed, the man who tortured his brains about such

science caricatured in the *Clouds* is that of Archelaus at all; it is just as probable that it is a travesty of the system of Diogenes of Apollonia (*x*).

From such superficial or irrelevant points of resemblance between Socrates and the things and classes of people detested by Aristophanes as have been mentioned, the comic poet jumped to the conclusion that the well-known philosopher was one of the worst representatives of them, and so he depicted him. As the people in general did not understand Socrates any better than Aristophanes did, they would be prone to accept the comic portrait as substantially true, and no doubt would receive it with self-complacency as well as with boisterous laughter and applause: especially so, as they knew well Socrates' peculiar countenance, his striking physical build, his swinging gait, his promenading the streets with bare feet, his mean garments, his indifference to cold and fatigue, which were all depicted for them, without any need, on the part of the dramatist, to have recourse for these purposes to extravagant caricature. And so unthinking people, and more or less prejudiced people, who always and everywhere form the greater part of the population of a country, seeing correctly portrayed features in the representation of a figure familiar to their eyes, tended, like the comic dramatist himself, to jump to the conclusion that the remaining features—the most important ones—in the representation must be accurate.

There is a story that Plato sent a copy of the *Clouds* to Dionysius I. of Syracuse with the observation that from this work he would be able to understand the condition of things at Athens. The sovereign would certainly gain therefrom some knowledge of the city and the goings-on there—the debased teaching of many Sophists, the kind of instruction sought from them by unconscionable people, the way some debtors tried to escape from their liability, the strange cults in the city, the prevalence of "meteorosophists" and beggarly Orphic priests with their mean cells and

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subjects stood a fair chance of losing his wits entirely, just as Anaxagoras, the headiest speculator of them all, in his attempt to explain the divine mechanism, had somewhat lost his head" (iv. 7. 6). (See *supra*, chap. iii., pp. 38 *seq.*) We may add that Plato represents Socrates as explicitly and emphatically declaring to his judges that he had nothing whatever to do with cosmological speculations (*Apol.* 19 c–d; and see *infra*, chap. xv.).

(*x*) Cf. the fragments given in H. Diels, *Die Fragmente der Vorsokratiker*, 2 vols. (Berlin, 1912), vol. i., pp. 416 *seq.*, and especially at p. 430, in reference to Aristophanes' *Clouds*. See also Diels, in *Rheinisches Museum*, Neue Folge, vol. xlii., pp. 12 *seq.*; Burnet, *Plato's Phaedo*, pp. xxxix.–xl. Socrates is represented by Aristophanes as invoking the Air as a god (l. 264); but, according to Cicero, *De nat. deor.* i. 12. 29, it was Diogenes of Apollonia who held that the Air was a divinity.

esoteric appurtenances, and so on ; but he would not at all understand anything of material importance regarding Socrates, his teaching, his object, his method, his character, and his disciples. Indeed, it is utterly absurd to suppose that Plato could for one moment have seriously regarded the play as giving an accurate account of his revered master. If Plato did, in fact, send the tyrant a copy of the *Clouds* with the remark, as alleged, then all we can say is that there must have been among philosophers in those times jollier hoaxers than there are nowadays.

Nothing, to be sure, could be further from the truth than the picture of Socrates and his disciples in the low-roofed cell, named the thinking-shop, the very introduction of which together with its scientific apparatus shows that Aristophanes is altogether confusing Socrates with some of the scientists of Ionia and Italy. To this confusion other and more serious ones are added ; for the description of his teaching shows that Aristophanes considered him not only a Sophist of the most degenerate species, but also an embodiment of everything that is revolutionary, atheistic, vile, dishonest, and nasty. In his thought-factory Socrates is represented as teaching his pupils to renounce the generally accepted gods (*y*), to deify phenomena symbolising darkness and mental obscurity, to practise mysterious rites of foreign origin, to abandon themselves to idle musing, or to engage in vain and useless investigations, to devote themselves to speculation on matters too high and recondite for human beings, to become skilful in the art of defrauding and generally making the unjust cause triumph over the just cause, to abjure respect and dutifulness towards parents, to make mock of inveterate conventions, to cultivate immodesty, self-conceit, boasting, and arrogance, to neglect their bodies and wallow in filth (*z*), to accustom themselves to ascetic self-denial and fasting. The pupils are described as long-haired (*a*), barefoot, pallid, spectral forms (*b*), avoiding the light of the sun. Chaerephon (*c*), an associate of Socrates, was probably taken by Aristophanes for the purpose of his caricature and then put forward as a typical disciple ; whereas the fact is that most of the associates of Socrates were of aristocratic family and well-to-do (*d*). There

(*y*) Cf., for example, *Clouds*, 247–248.
(*z*) L. 837.
(*a*) L. 838.
(*b*) L. 103.
(*c*) L. 104.
(*d*) Cf. Aeschines, *Telauges*, where, it appears, Socrates was represented as deprecating the squalor and self-mortification of the Orphic and Pythagorean ascetics.

is nothing whatever in the habitués of the thinking-shop that recalls such friends of Socrates as Crito and Alcibiades and Charmides and Adeimantus and the rest. Strepsiades and Phidippides have no approximate counterparts in reality. What Plato tells us about Lysimachus and his son Aristides (*e*) is very far from sufficient to justify the burlesque figures of the impoverished countryman and his gambling son. Aristides failed to benefit by Socrates' instruction and turned away from his lofty principles to "lies and shams" and "evil communications"; but in Aristophanes' treatment Strepsiades is made to learn how to defeat his creditors, and Phidippides becomes master of the unjust cause which he wields most effectively. Again, the pale-faced rascals of the thought-factory are portrayed on the one hand as living in a state of self-imposed poverty, hermit-like self-sufficiency, and abstention from worldly things; on the other hand, as given to swindling and cupidity: such inconsistency was no doubt overlooked by the laughing spectators, as it was by the jeering dramatist. Socrates is represented as an avaricious self-seeker, and is made to demand fees from his pupils; whereas it is indubitably established that he was the only one of the public teachers who did not take fees. Socrates being poor is made to filch a cloak (*f*) —to steal a cloak is also in keeping with teaching pupils a way of ingeniously repudiating their obligations and evading the operation of law; and despite his noble principles, which he practised as well as taught, and despite his unswerving law-abiding conduct, many of the audience no doubt believed these things ascribed to him by the comedian.

Now the fact that Aristophanes' portrait of Socrates as a Sophist accords so little with truth has induced some writers to hold that the attack of the comic poet is not on Socrates personally, but on sophistry as such. Thus Lessing (*g*) observes that it was not the dramatist's intention to cast ridicule and suspicion on the philosopher, but to assail the dangerous part played by the Sophists, especially in the education of the young; and that he simply chose the name of Socrates for his butt, because he was generally considered a Sophist. Similarly, Browning suggests that

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(*e*) *Laches*, 178 a; *Theaet.* 151 a.

(*f*) *Clouds*, 177.

(*g*) Lessing, *Hamburgische Dramaturgie* (1786), pt. ii., No. xci., p. 212: "Unter dem Namen Sokrates wollte Aristophanes nicht den einzeln Sokrates, sondern alle Sophisten, die sich mit Erziehung junger Leute bemengten, lächerlich und verdächtig machen. Der gefährliche Sophist überhaupt war sein Gegenstand, und er nannte diesen nur Sokrates, weil Sokrates als ein solcher verschrieen war. Daher eine menge Züge, die auf den Sokrates gar nicht passten. . . ."

t was not Socrates himself that Aristophanes intended to attack, ɔut the degenerate Sophists :

> " Socrates ? No, but that pernicious seed
> Of sophists whereby hopeful youth is taught
> To jabber argument, chop logic, pore
> On Sun and Moon, and worship Whirligig " (*h*).

Other commentators add to this suggestion that Aristophanes ;hus singled out Socrates because of his outstanding eloquence, ɔontroversial skill and reputation for wisdom (probably Aristoɔhanes had in mind, too, the oracular declaration that had been ɔbtained by Chaerephon), as well as owing to his bizarre ways and Silenus-like appearance, which facilitated a burlesque representaɔion on the stage. Perhaps we might add further, assuming this ɔo be a correct view, that Aristophanes felt that, apart from the ɔrevailing licence of the comic stage, he could treat Socrates freely and with impunity, inasmuch as his philosophical prinɔiples would make retaliation by him in any form most ɱprobable.

In every epoch in which new movements set in and educational reform is proposed, we find protests from anti-progressive sections ɔf the community against the ideas and activities of those who would venture to depart from the wisdom of their fathers and from old-established ways, and so corrupt the new generation. Such conservative attitude is well expressed by Jack Cade :

" Be it known unto thee by these presence, even the presence ɔf Lord Mortimer, that I am the besom that must sweep the Court clean of such filth as thou art. Thou hast most traitorously ɔorrupted the youth of the realm in erecting a grammar-school, and whereas, before, our forefathers had no other books but the ɜcore and the tally, thou hast caused printing to be used ; and, ɔontrary to the King, his crown, and dignity, thou hast built a paper-mill. It will be proved to thy face that thou hast men ɑbout thee that usually talk of a noun and a verb, and such ɑbominable words as no Christian ear can endure to hear " (*i*).

Aristophanes, too, believed that Socrates corrupted the youth. He disliked his ideas and his teaching as much as he disliked the

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(*h*) *Aristophanes' Apology*, ll. 1872 *seq.* It has been asserted, too, that the ɔomedy was directed less against philosophy, science, and sophistry than against " the false desire of the Athenians for a mere outward, superficial explanation of things," that no attack on Socrates was intended, and that Strepsiades is the chief ɔharacter of the play (A. Böhringer, *Ueber die Wolken des Aristophanes* (Karlsruhe, 1863).

(*i*) 2 *Henry VI.*, iv. 7. *init.*

teaching of grammarians or other innovators. For example, of Prodicus he says: "This fellow has been debauched by some treatise, or by Prodicus, or by some babbler or other" (*k*).

No doubt in the *Clouds* Aristophanes had in mind chiefly the debased form of sophistic education, conducing to make the worse reason appear the better—τὸν ἥττω λόγον κρείττω ποιεῖν—and we see this in the striking picture of the contention between the Just Reason and the Unjust Reason, the exposition of their respective systems of education and advantages to be derived therefrom, to which we have already referred. Aristophanes impeached the "new learning" generally, with all its new-fangled rhetoric and philosophy and other innovations in religion and morals, and he looked with dismay on the liberalising influence of scientific investigation (which he erroneously associated with Socrates) in the sphere of religion (*l*). It was, above all, the eloquence and dialectic power of Socrates (*m*) and other recent philosophers and teachers that alarmed the conservative poet and called forth his dramatic castigation (*n*)—for such a power, he thought, would prove a particularly dangerous instrument in the hands of unconscionable politicians (*o*). We may recall here that the law of Critias prohibiting "instruction in the art of speech" was specially directed against Socrates; and it certainly was one of the main aims of Socrates to train men to express themselves clearly, precisely, and rationally (*p*), and to master the art of logical division and classification (*q*). We cannot, therefore, believe that Aristophanes simply chose the names of Socrates haphazard, or used him as a mere scapegoat for the many sins of the Sophists. He was singled out deliberately, and was attacked with "malice aforethought," just because of his superiority to the other teachers, and because

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(*k*) Aristoph., *Tagenist.* i.; cited by Starkie, *op. cit.*, p. xxxiv.

(*l*) Cf. Couat, *op. cit.*, p. 292: "Mais ce sont ces espaces si brusquement ouverts, c'est cette lumière soudaine que redoutaient les conservateurs. Ils ne voulaient pas de cette science, parce qu'elle était libératrice. En s'attaquant aux mystères de la voûte céleste, la science hellénique affranchissait les hommes de la peur des dieux."

(*m*) Cf. Taylor, *Varia Socratica*, pp. 130–131.

(*n*) Cf. *Clouds*, 227, 270.

(*o*) See Denis, *La comédie grecque*, ii., p. 10: L'éloquence, non plus livrée aux hasards de l'instinct, mais disciplinée et dirigée par des principes, excita dès son apparition, un étonnement mêlé d'effroi dans le camp des conservateurs; c'était la force nouvelle qu'appelait la démocratie et qui, aussitôt acceptée et mise à profit par elle, ne pouvait qu'émouvoir les défiances et la haine de ses adversaires. Le meilleur commentaire des *Nuées* serait donc, selon moi, l'histoire de la fureur croissante que, cette nouvelle puissance inspira aux conservateurs et par conséquent aux comiques."

(*p*) Xen., *Mem.* i. 2. 12–16; i. 6. 15.

(*q*) Cf. *Clouds*, 321, 366.

of the resulting fear that his greater efficiency might produce a more disastrous and a more durable effect.

It may be, too, that Aristophanes believed that the ascetic view of life, as taught by Socrates and also by the " ascetic " scientists —though not in the same way nor on the same grounds—was antagonistic to the spirit of comedy. " Attic comedy owed its origin to the worship of the emblem of fertility, and never forgot the source from which it sprang " (*r*); and it was obviously the business of the comedian to defend his craft, and to attack ideas or movements that might tend to belittle or destroy it. Apart from this particular view on the part of the comic poet, conflicts between poetry and philosophy (as we have already pointed out) not infrequently broke out on broader grounds. There was bitter class-feeling in Athens; every class—Sophists, dialecticians, rhetoricians, speculative philosophers, " advanced " scientists, freethinkers—was accused by other classes of exercising a pernicious influence on the rising generation (*s*). And such accusation came most frequently from the comedians and the practical politicians, who could not appreciate the purpose of the *θεωρητικὸς βίος*—the contemplative or speculative life as opposed to one of practice or art: to think, to reason, to inquire, without producing a tangible and useful result seemed to them a sinister occupation fraught with dangerous consequences to the entire body politic. Thus Plato represents Callicles, who is a man of the world and an Athenian gentleman of political ambition, as saying to Socrates:

" Philosophy . . . if pursued in moderation and at the proper age, is an elegant accomplishment, but too much philosophy is the ruin of human life. Even if a man has good parts, still, if he carries philosophy into later life, he is necessarily ignorant of all those things which a gentleman and a person of honour ought to know; he is inexperienced in the laws of the State, and in the language which ought to be used in the dealings of man with man, whether private or public, and utterly ignorant of the pleasures and desires of mankind and of human character in general. . . . Philosophy, as a part of education, is an excellent thing, and there is no disgrace to a man while he is young in pursuing such a study; but when he is more advanced in years, the thing becomes ridiculous. . . . He flies from the busy centre and the market-place . . .; he creeps into a corner for the rest of his life, and talks in

(*r*) Starkie, *op. cit.*, pp. xxxv.–xxxvi.
(*s*) See W. H. Thompson, " On the Nubes of Aristophanes," in *Journal of Philosophy* (London), vol. xii. (1883), pp. 171–173.

a whisper with three or four admiring youths, but never speaks out like a freeman in a satisfactory manner " (*t*).

Now it is maintained by various modern writers that Aristophanes had no personal animosity whatever against Socrates, but that all that was said about him on the stage was said purely in jest, and that Socrates himself so regarded the comic representation of himself. We have already seen (*u*) that a few years after the production of the *Clouds*, Aristophanes and Socrates were fellow-revellers at the banquet of Agathon, where Alcibiades, turning to Aristophanes, cited good-humouredly a verse of the *Clouds* describing the peculiar gait and rolling eyes of Socrates (*x*). But here the poet's description, intended by him for ridicule, is introduced and adapted by Plato for the purpose of humorous praise. It is highly probable, however, that Socrates did not feel resentful towards his satirist. But that does not necessarily imply that Aristophanes had not intended his burlesque to be offensive. Others hold that whilst Aristophanes was the implacable enemy of all that he thought Socrates stood for, and intended his attack to be serious even though it was expressed by a comic medium, yet he had no personal grievance and no spite against Socrates.

In order to arrive at a correct idea of the nature of Aristophanes' attack on Socrates and see it in due perspective, we have to bear in mind two points. First, in contemporary Athens there was great freedom in controversy generally; there was still greater licence in regard to the badinage, mimicry, lampoons of the comic stage, and the law of defamation was not so sharply and clearly laid down as it is with us. People were more accustomed then than we are now to witness personalities bandied about without restraint, and they were less shocked and perhaps less offended than we are at such defamatory exhibitions. We know that in the pamphleteering wars of the seventeenth century such scurrilous expressions were sometimes used by controversialists, even by such a high-minded man as Milton, as would disgust modern adepts in the art of personal abuse. With our high standards of literary decorum and sense of personal dignity, with our attitude of fairplay and justice towards an opponent (except on such special occasions as parliamentary elections, when relaxations from the salutary self-control are still thought by some political combatants to be indispensable), we wonder at the licen-

(*t*) *Gorgias*, 484 c–485 d.
(*u*) See *supra*, p. 62.
(*x*) *Clouds*, 362; Plato, *Symp.* 221 b.

tious vituperation to which our forefathers resorted in their controversies. Much less, then, can we understand, and all the more are we liable to be shocked by, the exceedingly contemptuous expressions and grossly abusive representations that we find in the comedies of Aristophanes, above all in his *Clouds*, because there the author lampoons indiscriminately and unrestrainedly the greatest man in classical antiquity.

Moreover, though Socrates was already gathering round him at the time a band of admiring associates, he was not then invested with that halo of sanctity which posterity has justifiably imparted to him. If Aristophanes, as a comic entertainer of the public, permitted himself to pour ridicule and inflict a beating upon Dionysus (*y*), to make Hermes wash tripe, to treat Hercules as a bastard, and make fun of priests and oracles and religious ceremonies—and all this with (apparently) the indulgence of the audience, who would certainly not have accorded it, say, to the serious Euripides—then we need not wonder that he allowed himself comic excesses in portraying Socrates. No doubt the audience roared with laughter at the poet's brusque familiarity with the gods ; and no doubt they roared equally when they beheld the well-known figure of the Athenian streets transferred to the stage as a laughing-stock. But—and there's the rub—are we certain that the nature of the laughter was the same in both cases ? (The present writer has not met with a single commentator who has made any discrimination in this respect. Defenders of the art of Aristophanes usually say it was all fun—yesterday the gods, today Socrates ; and such apologists have assumed, strangely enough, that the mental attitude, the underlying purpose of the comedian, and the risible response of the spectators, together with the images and ideas evoked in their minds, were exactly the same in both cases.) The fact is that in the one case they laughed at Aristophanes' daring and whimsical treatment of divinities whom they (or most of them) feared and reverenced, though with an accompanying consciousness that such treatment was not at all serious, but only good-humoured fooling for the festive occasion ; that is to say, they laughed at the strange and unexpected incidents, but continued to fear and reverence those very gods and sacred things. In the other case, however, the audience laughed not only at the bizarre situation and ludicrous incidents shown in connection with Socrates, they also laughed at Socrates himself,

(*y*) Cf. the *Frogs*.

but—the masses being what they are, ever ready to believe rumours, what they see in print, and what is strikingly depicted for them before their very eyes, especially when one or two minor details shown agree with what they have before observed for themselves—they did not continue to regard the object of their amusement with the same respect and without reinforced prejudice. We can well imagine such comments and murmurs among them as: "I told you so"; "I thought as much"; "Really! I didn't know he was like that"; "A fine teacher he is!"; "Serve him right"; and so on. With such feelings and impressions as these, the audience—or the greater part of it—could not be expected to form a just estimate of the real aim and teaching of Socrates, and of his true worth. At home and in the market-place they would recapitulate and discuss what had so vividly been presented to them at the theatre, and no doubt they would better the instruction.

Similarly with the attitude of Aristophanes himself. He could deride Hermes and Dionysus and many things in the national religion, and yet believe in them, and desire that the people should believe in them. But when he made mock of Socrates, he certainly did not believe in him, nor did he desire that the people should do so. The view that Aristophanes simply acted the buffoon without any accompanying serious feeling, that he merely gave an exhibition of coarse wit without being animated by a sense of patriotism and regard for old tradition and authority, that he was frivolous without any serious purpose whatever has been advanced by various defenders of the Old Comedy (*z*). But this theory, as has been amply shown in the course of the present chapter, cannot be sustained. Indeed, the Old Comedy had already a political and educational aim before Aristophanes began writing. Knowing what he stood for, socially and politically, we cannot believe that he was merely acting the irresponsible buffoon for the sake of provoking laughter, when he lamented the good old days with their honour and decorum, when he called up the heroes of Marathon to witness the city's decline and the decay of the old political spirit, military organisation, and prowess in the field, when he deplored the new tendencies and the growing scepticism, when he attacked Cleon, and so on.

It is also urged, in defence of Aristophanes, that it is not the function of a comedian to balance the scale of justice impartially

(*z*) For example, J. G. Droysen, *Des Aristophanes Werke* (Berlin, 1835), vol. i., p. 263; vol. iii., p. 12.

and judicially ; and that one of the objects of comedy, as Aristotle said, is to degrade character for the purpose of making the audience laugh, provided that the cause of laughter has some basis in actual fact. Both these propositions are true. But we must add that, in the first place, the comedian exceeds his legitimate function, if he so overwhelms the scale of justice against a person selected for castigation or degradation that it amounts to a signal act of injustice. Secondly, the comedian goes beyond his proper sphere, if his ridicule calumniates serious things without any foundation in fact, and when he degrades character to such an extent that he entirely transforms it. The comedian is, admittedly, concerned with dramatic effect ; but if he disregards truth so thoroughly that it becomes altogether disproportionate in the dramatic representation, he commits an injustice from the point of view of both morality and art. The Aristophanic comedy is, of course, art and not history. But if art, whether it be comic or serious, represents the noble as ignoble, or the ignoble as noble, vice as virtue, or virtue as vice ; in other words, if art effects an entire " transvaluation of values," then it becomes a lie, and to those who do not know the truth it is as dangerous as it is misleading.

Professor Burnet, who attaches great weight to the testimony of Aristophanes' *Clouds* in regard to the life of Socrates up to the age of forty-seven, says that there are two canons for interpreting comedy (*a*). " In the first place, the very occurrence of a statement in a comedy affords a presumption that it is not a mere statement of fact. Statements of fact are not funny. On the other hand, every such statement must have some sort of foundation in fact ; for absolute fictions about real people are not funny either." To this account of the subject we may first of all demur, and say, on the contrary, that everybody has told and has heard stories of actual facts and occurrences, which were themselves funny and made the stories excruciatingly funny ; also, absolute fictions about real people can be very funny too, for example, the depiction of Socrates calling on a newly arrived pupil to take off his cloak, conformably to certain initiatory rites, and then stealing it. But passing over these inapplicable comments of the author, we may say that the canons of interpretation amount to this : comic representation does not contain the whole truth, but must contain part of the truth. The difficulty here is to determine

(*a*) *Greek Philosophy*, p. 145.

what part, if any. Are we to say, for instance, that Aristophanes' representation of Socrates as stealing a cloak is not to be taken literally, but must be interpreted in the sense that he stole part of a cloak, or a pair of sandals, or something else. When Aristophanes showed to his audience that Socrates taught his disciples how to make the unjust cause prevail over the just cause, and how to defraud their creditors, what is the foundation in fact? The application of such canons, with a view to defending the craft of the comic dramatist, does not carry us very far. When Aristophanes represents Socrates as a strange compound of a hypocrite, a blasphemer, an atheist, a "meteorosophist," an investigator of matters that are beyond mortal ken, a degenerate and avaricious Sophist, a natural philosopher after the manner of Archelaus, Anaxagoras, or Anaximenes (a mixture of all three, none of whom Aristophanes seems to have understood), a charlatan after the fashion of many of the Orphic canvassers, and a mystifier after the manner of many of the Pythagorean votaries (whom, let us hope, Aristophanes actually did see in the streets), what is the basis in fact? Such a compound, indeed, was either concocted somewhat after the manner of Frankenstein's creation of the monster that afterwards obsessed him, or it was built up by the author deliberately disregarding the truth, in order to make people laugh, and, incidentally, impress on them certain cherished ideas of his own. Of these alternatives, we may in fairness and in reason accept the latter.

The view, then, that Aristophanes was justified in his representation, on the ground that he incorporated therein a few minor details about Socrates which are true, is thus indefensible. Equally untenable is the theory that the comic poet was first and foremost a preacher of morals, an educational champion, and a political prophet (*b*). The truth is that he was a comedian with a serious vein underlying his comic licence (*c*); with a deep and genuine patriotic feeling, and with a real concern for the well-being of his fellow-citizens. He tells us himself more than once that by imparting a political element to his comedies, he has raised them beyond the level attained by his predecessors (*d*), and he frequently claimed that he had rendered great services to the

(*b*) Cf. C. A. Brandis, *Handbuch der Geschichte der Griechisch-Römischen Philosophie*, 3 Thle. (Berlin, 1835–1866), pt. ii., subdiv. i., p. 26.

(*c*) See Zeller, *op. cit.*, p. 176. Cf. T. Kock, "Aristophanes als Dichter und Politiker," in *Rheinisches Museum für Philologie*, etc. (Bonn), vol. xxxix. (1884), pp. 118 *seq.*

(*d*) *Clouds*, 537; *Wasps*, 1029 *seq.*; *Peace*, 732–733.

State (*e*). Therefore, his onslaught on Socrates was seriously intended, and it did much to arouse prejudice against him among various sections of the community. It may have been to some a huge jest in 423 B.C. at the time of the performance of the *Clouds*, when the Athenians were having the best of the conflict then waged against the Spartan confederacy ; but it left its mark, and contributed not a little (as Socrates himself declared later before his judges) to the growing hostility manifested against him, a hostility that was intensified in the disastrous experiences of the Athenians during the last few years of the Peloponnesian war.

Now it may be said, in extenuation or explanation of Aristophanes' scurrilous treatment of Socrates, that he simply followed public opinion and took his cue from the current stories concerning the philosopher, that he was careless with regard to the truth and indifferent to exactness ; so that, in these circumstances, he was not a libeller conscious of his misrepresentation, and did not contribute to the calumnies which prepared the way for Socrates' impeachment and death (*f*). Even if this were a good explanation—which it is not—it would not necessarily amount to a valid excuse, much less to a justification. No doubt Athenian comedy, with its buffoonery, its scurrility, and its indecency, pandered more or less to the vulgar taste. But Aristophanes did not merely reproduce the notions of the public ; he himself often asserted that he did much more than that. The *Clouds* is no more a mere reproduction of the current opinion about Socrates than Gilbert's *Patience* is a mere reproduction of popular opinion about the aesthetic movement in England during the latter part of the 'eighties or at the beginning of the 'nineties. Both of these comedies greatly influenced public opinion, and imparted informa tion (such as it was) to thousands of people. The fact is that the comedian takes something from public opinion, but adds much of his own and in his own person ; and he may not disclaim his responsibility by pretending he is nothing more than a photographer of the public mind. This is so indubitably in the case of Aristophanes. To know what he was, what his attitude was to tradition and to democracy, and to suggest that in his comedies (at all events in the *Clouds* with which we are here concerned

(*e*) *Acharn.* 645 ; *Knights*, 511 ; *Clouds*, 549 ; *Wasps*, 1028, 1043 ; *Peace*, 760.
(*f*) Cf. Denis, *op. cit.*, vol. ii., p. 8 : " Il n'a fait que ramasser des bruits courants et faire sa part dans le concert de l'opinion ou de l'erreur publique." Similarly, Starkie, *op. cit.*, p. xxxii. ; Thompson, in *Journal of Philology*, vol. xii., p. 171.

most) he blindly followed the views of the people is a fantastic paradox which cannot possibly be defended.

That there were certain elements of truth in the comic poet's representation there is no doubt: that has already been admitted and emphasised. It is, of course, possible to laugh, and at the same time tell a good deal of truth.

> . . . Ridentem dicere verum,
> Quid vetat ?

as Horace says (*g*). But Aristophanes laughed, and in the *Clouds* told very little of the truth; there was nothing to prevent the laughing comedian from telling the truth except his lack of knowledge, his prejudice, his licentious buffoonery, and his deliberate desire to distort many of the facts he possessed. In the portrait of Socrates there was foundation, for example, for such features as Socrates' poverty, uncouth appearance, threadbare gaberdine, bare feet, faculty of rapt contemplation, fearless inquiry, power of self-denial, absorption in unworldly things, and certain unusual ways. Such matters as these scarcely needed comic exaggeration for the fulfilment of the dramatist's purpose. Then we have again a bare reference to Socrates' "maieutic" art, we read something about his preoccupation with the dialectic method of inquiry, and with the establishment of definite propositions (λόγοι) as the basis of true knowledge. But this part of the representation—indeed, almost everything beyond some of Socrates' physical characteristics—is so exaggerated, and so mixed up with totally inapplicable interpolations, that the comedy really becomes on the whole a grotesque distortion.

Before a jeering Athenian crowd it was not difficult for a laughter-provoking playwright to attack anybody or anything; honour and courage, wisdom and goodness, were considered fair game for his vivacious sallies, no matter how much he ran amuck. As Boileau truly says:

> "Là, le Grec, né moqueur, par mille traits plaisants
> Distilla le venin de ses mots médisants;
> Aux accès insolents d'une bouffonne joie
> La sagesse, l'esprit, l'honneur, furent en proie."

Over and above his comic purpose Aristophanes had a serious aim in the *Clouds*. He was at pains to attack innovations, though he failed to discriminate between desirable reform and new-fangled trickery and capricious novelty; he assailed also

(*g*) *Sat.* i. 1. 24–25.

unscrupulous morality, political sycophancy, and what he believed to be educational retrogression. He was sincerely desirous of bringing about a regeneration in politics, social life, and public education ; but this aim coincided to a large extent with Socrates' aim, so that he ought to have welcomed him as an ally in the same good cause. Aristophanes saw the havoc that was done by the perverted forms of sophistic and rhetorical argumentation ; had he kept his eyes open, he would have seen that the Socratic dialectic was endeavouring to remedy this very mischief. Aristophanes desired to be a " purger of the common weal," a " besom " for sweeping the land clear of all " sorrow and shame " (*h*) ; had he not been obstinately blind with regard to Socrates' mission, he would have seen that that also was Socrates' purpose. Aristophanes had a contempt for the populace, and yet before that very populace—for its delectation as well as for its admonition—he travestied Socrates as a promoter of irreligion and as a corrupter of the youth. He had an influence on public opinion, and it was in this sinister direction that he exercised his influence (*i*).

And so various hostile forces were gradually gathering against Socrates, until they culminated in the indictment for impiety and corruption of the youth.

(*h*) *Wasps*, 1043 : τοιόνδ' εὑρόντες ἀλεξίκακον, τῆς χώρας τῆσδε καθαρτὴν.

(*i*) It has been suggested that Plato did not believe that the attack of Aristophanes had anything to do with the events that led to Socrates' execution ; and the ground of that suggestion is the fact that Plato when dying kept a copy of Aristophanes' comedies in his bed (*), and also wrote a fine epigram on the comic poet :

Αἱ χάριτες, τέμενός τι λαβεῖν ὅπερ οὐχὶ πεσεῖται
ζητοῦσαι, ψυχὴν εὗρον Ἀριστοφάνους
The Graces sought a heavenly shrine, which ne'er
Shall come to nought,
And in thy soul, Immortal Poet, found
The shrine they sought (†).

Now Socrates died in 399, and Plato in 347, that is, over fifty years after his master's departure. We could hardly expect him to be still harbouring a grudge at that date (and, especially, if we may add, on his death-bed) against Aristophanes, whose works he delighted in. But to express admiration for the poet's work is, surely, not incompatible with the belief that the poet had in the old days contributed—and greatly contributed—to the creation of the popular prejudice against Socrates. Moreover, surmises to the contrary are altogether futile in view of the clear and definitive statement in the *Apology*. At p. 18 Plato makes Socrates attribute much of the prejudice against him to the misrepresentations of Aristophanes and the other " old accusers," who made false charges against him, and whom, he regrets—seriously and not jocularly—he cannot call up for cross-examination. (See further *infra*, chap. xv.)

(*) On the authority of Olympiodorus.

(†) Rogers, *The Clouds of Aristophanes*, p. xxix.

CHAPTER IX

IMMEDIATE CAUSE OF THE INDICTMENT.—POLITICAL CIRCUMSTANCES

ἦν δέ τις τῶν πολιτικῶν . . . ἔδοξέ μοι οὗτος ὁ ἀνὴρ δοκεῖν μὲν εἶναι σοφὸς ἄλλοις τε πολλοῖς ἀνθρώποις καὶ μάλιστα ἑαυτῷ, εἶναι δ' οὔ.

(*Apol.* 21 c.)

(It was one of the politicians. . . . I came to see that though a great many persons, and especially he himself, thought he was wise yet he was not wise.)

DESPITE the severe attack of Aristophanes in 423 B.C., and the prejudice and hostility engendered against Socrates in the minds of the Athenian people in general, despite the antagonism increasingly manifested by special classes of the population, such as the Sophists, the rhetoricians, the conservatives, the religionists, the democratic politicians, the poets, and, more particularly, those from among such classes who had been subjected to Socrates' exacting cross-examination, he was allowed to continue his mission unmolested for nearly a quarter of a century after the production of the *Clouds*. We can imagine what must have been the "average" Athenian citizen's opinion of Socrates at the close of the calamitous Peloponnesian war (403); and we may recall that some twenty years after the attack in the *Clouds*, Aristophanes once more assailed Socrates as a vain babbler and pretentious Sophist. The disciples and intimate associates of Socrates discerned something of the true, pure, and noble philosopher. But the view of the general public was vastly different—it was not begotten of knowledge. In order to sum up this view, we may usefully borrow an excellent passage from Gomperz (*a*), where he describes the complaints of an aged Athenian who, having met a foreign friend in the market-place, laments over his city's condition.

"'What!' says he, 'you hardly recognise Athens in these empty streets, this desolate harbour? And little wonder. Our defeats, the loss of our navy, colonies, and tribute has made us a poor people, poor in hope as well as in everything else. If you want to see cheerful faces, go to Sparta. But you will find our

(*a*) *Greek Thinkers*, vol. ii., pp. 94–97.

proud conquerors bowing humbly before the Lord of fate and of its holy decrees. There Zeus is not dethroned, there Zeus has not made way for the "King Vortex" our celestial wiseacres talk about so much. The Spartans would soon put in force their "act for the expulsion of undesirable aliens" if rogues of that stamp came among them. Look at us, and look at the difference. Our young men are as bold as you can possibly imagine; all religious fear has vanished long ago. And it is all the fault of the new-fangled philosophy-teachers. True, Anaxagoras was accused of impiety a generation ago, and sent out of the country; Protagoras the same. But the worst of them all is here still: Socrates goes on in the same old way, just as if Aristophanes (he's one of the right sort) had not exposed him twenty years ago. And what a conceit the man has of himself by now! Only the other day King Archelaus asked him to Court along with all our best poets, and he declined the honour with his usual modesty—which I call arrogance. And then there are young foreigners from Megara, Elis, Thebes, and as far as Cyrene, all coming to him to benefit by his instruction. Yes, instruction; for though he hates to be called a teacher or Sophist, the distinction is much too fine for our poor comprehension. There he sits, in his dirty little house, with his scholars all round him, and reads out of yellow rolls, and explains to them, after his own fashion, the works of poets and Sophists. He lives mostly on presents from his well-to-do "friends" or "companions." As for his boasting that he knows no difference between rich and poor, and is at the disposal of all alike,—so much the worse, say I. The other Sophists dispense their poison only when they are well paid for it; he scatters it abroad gratis. And would to God he had done nothing worse than waste time and brains on the silly problems we split our sides over when the "Clouds" was on the stage. If only he could have stuck to counting the flea-lengths between Chaerephon's eyebrow and his own bald patch, that would not have mattered so much. But he has taught young men to beat and bind their "unreasonable" fathers. He has shaken their faith in the gods. Talk to the son of the Thracian woman, the bastard Antisthenes, or to Aristippus of Cyrene, and they will soon tell you they consider Athene, the goddess who protects our State, as a mere name, an empty phantom. Some of these disciples believe in no gods at all, others in only one. Who knows whether it is not our putting up with such wickedness that has made our patroness angry and caused all our disasters?

'You don't think it likely a mere talker should have done all

this harm ? It's all simple enough. His hair-splitting subtlety attracts all the best brains among our young men, just as surely as the Lydian stone does a bit of iron. These are the men he sets against religion and makes into enemies of their country. I exaggerate, do I ? Then listen to the facts, not to me. What greater misfortune have we had in all those years of war than the mad attempt to take Syracuse and conquer Sicily ? And who is responsible for that lunacy, which cost us thousands of our best citizens ? The " fair son of Cleinias " (Socrates' complimentary name for him), who seduced the people into neglecting all the warnings of our wise and pious Nicias ; yes, that favourite disciple Alcibiades, who also had a share in the impious mutilation of the Hermae, and in the insulting of the mysteries, and who finally went to Sparta and intrigued against his country from there. And that is not all. Just as Alcibiades destroyed our sea-power, Critias destroyed our internal peace. Certainly he had talent. But how did he use it ? In his tragedy " Sisyphus," which was not allowed to be performed, but which went about from hand to hand in a great number of copies, he called belief in the gods an invention of clever men of old times. And his life was in tune with his teaching. While here, he was the people's worst enemy. In banishment, he stirred up the Thessalian peasants to revolt against their masters. And after his return what havoc he and his crew made in the city ! And again I ask—Where did Critias get his fine principles from, he and his gang ? They were all of them " companions " of Socrates. But let him rest in peace, he and his cousin Charmides, both of whom fell fighting against the people. Enough of him. But let us not forget his great-nephew Plato, another favourite of the Sophist, who does nothing but make speeches running down our ancient and glorious constitution and the sovereignty of the people. Only the other day I heard him deliver himself of the remarkable sentiment that things will never be better till the philosophers are rulers or rulers philosophers. Perhaps he too will go abroad some day to seek his ideal, just as his contemporary, the son of the Knight Grylus, has lately done. Haven't you heard that Xenophon, instead of serving his own country, has preferred to go to Asia to Cyrus the Persian pretender, the same Cyrus who favoured our enemies, the Lacedaemonians, so greatly ? And who do you suppose it was that encouraged him to consult the Delphic oracle, and take its permission to go over to the national enemy ? Who else but his intimate friend, the grey-headed old wiseacre with the Silenus-

face and the everlasting ironical smile. It's about time to put a spoke in his wheel. You think we might let the old cinder burn itself out ; that it won't light any more bonfires in young heads ? Perhaps not. But think of the example. What will all the young set do when they see their chief going on with his work to the end undisturbed, and ending his days in peace and honour ? The affair would be simple enough if the Areopagus had not lost its old rights ; it would just order him, fair and square, to let the young men alone. But now there's nothing for it but to have Socrates up before the jurors.' "

Eventually Socrates was brought before the jurors ; and his indictment contained two counts, which represented the main charges made against him by Aristophanes as well as the principal views held by various sections of the Athenian community. It was not, however, Socrates' alleged irreligion that was really the proximate cause of the formal accusation. The charge of impiety was introduced as a pretext, whatever ground there might be for it ; for his departure to some extent from strict orthodoxy was in keeping with the growing rationalism of the time, and was, moreover, far less impeachable than the more thorough heterodoxy professed by an increasing number of citizens who espoused the cause of "enlightenment," and whom no one ventured to prosecute.

There was, indeed, in Athens a large measure of toleration. The principle of freedom in general was proclaimed in the proud panegyric on the city pronounced by Pericles in his famous funeral oration (431 B.C.), the spirit and substance of which is preserved in Thucydides' account (*b*). Pericles emphasised the respect paid by his fellow-citizens to individual difference of opinion and behaviour : "We are not suspicious of one another, nor angry with our neighbour if he does what he likes." But, considering the solemn occasion and mindful of the course of Athenian history, we must admit that this was an expression of ideal aspiration for the city, rather than an accomplished fact.

The great latitude that had customarily been conceded to the comic poets we have already seen ; and Professor Bury, writing of the Athenian empire under Pericles, reminds us that such tolerance testified to the settled confidence of the people in their ideas and institutions. "There is no more significant symptom of the political and social health of the Athenian State in the

(*b*) ii. 35 *seq.*

period of its empire, than the perfect freedom which was accorded to the comic stage, to laugh at everything in earth and heaven, and splash with ridicule every institution of the city and every movement of the day, to libel the statesmen and even jest at the gods. Such license is never permitted in an age of decadence even under the shelter of religious usage. It can only prevail in a free country where men's belief in their own strength and virtue, in the excellence of their institutions and their ideals, is still true, deep, and fervent; then they can afford to laugh at themselves. The Old Comedy is a most telling witness to the greatness of Athens" (*c*).

Liberty of thought and speech was admitted, tacitly if not formally, as a part of the democratic constitution of Athens, and the Athenians believed that they enjoyed that right more than any other State. Plato makes Socrates say that Athens is "the most free-spoken State in Hellas" (*d*). Conflicting political views were for the most part tolerated by all parties, even at times of bitter party strife; and attacks on the existing political conditions might as a rule be freely made. Plato, disdainful of democracy, banished freedom of speech from his ideal State, on the ground that such a *régime*, allowing a man to do and speak as he likes, conduces to the subversion of all principles of order and good taste (*e*). But in practice and for the Athens of his own time, he would not have advocated such intolerance, because that restriction, if put into force, would have rendered impossible the expression of so many heterodox views of his own as well as many of his admired master, whose memory was a life-long inspiration to him and other ardent spirits.

The question, more particularly, of religious toleration, in relation to the law of impiety, will be considered in the next chapter; but for the present we may say that it was neither the religious belief of Socrates nor the outspoken expression of it that was the immediate operative cause of his prosecution. The real cause is to be found in the political circumstances of the time.

As a result of the Peloponnesian war, which was the greatest and most ferocious conflict the Greek nations had ever experienced, Athens had suffered humiliation and defeat, and saw the ruin and destruction of her empire (*f*). To all eyes the existing

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(*c*) *History of Greece*, p. 385.
(*d*) *Gorgias*, 461 e.
(*e*) *Repub.* viii. 557 b.
(*f*) See Thirlwall, *History of Greece*, vol. iv. (1847), pp. 216–217.

inglorious condition of things formed a dismal contrast to the opulence and glory of the preceding age ; and the Athenians were aware that their enemies were overjoyed at this downfall. The fleet was lost, the arsenal was in ruins, the Long Walls were demolished, and Athens was compelled to engage herself to submit to the hegemony of Sparta, her hated and triumphant rival. The greater part of the population were now impoverished and heavily burdened with debt ; the sources of public and private wealth were destroyed, the imperial tribute and other revenues ceased, and Athenian-owned property abroad was confiscated. Public debts due to other States could not be repaid, and threats of war were received from some of these creditor States (for example, Thebes). Overseas commerce, which had suffered heavily through the blockade, was still further injured by the Thirty, whose tyrannical measures caused the best classes among the resident aliens to leave Athenian territory. Food (*g*), fuel, and oil for lighting (*h*) were scarce, prices were high, and plagues broke out from time to time, especially in the overcrowded localities of the city where numerous refugees from surrounding districts had gathered, and lived in stifling huts (*i*). The mortality of the population was dreadful, and the temples were full of corpses.

All Athenians—who were naturally politically-minded and ready to look for the causes of disaster and mete out blame therefor—asked themselves why their proud and vaunted Athens had fallen so low ? No doubt to this and that, to this man and that man, was the responsibility ascribed ; and here and there, as we can well imagine, murmurs and angry outbursts were heard against Socrates. The thinking citizen realised that the recent war had been not only a struggle between sea-power and land-power, but—what was more significant—between the antagonistic contentions of the political parties in regard to their rival views on the structure necessary for a sound State. During the war there were two large factions among the Greeks, one supporting a thoroughly democratic system of government, the other being in favour of a military monarchy. " . . . Throughout the Hellenic world there was a violent dissidence of sympathy, the military and aristocratic parties everywhere being pro-Spartan, and the democratic parties pro-Athenian (*k*).

(*g*) Cf. Aristoph., *Acharn.* 750–762 ; *Knights*, 625–680.
(*h*) *Clouds*, 56 ; *Wasps*, 252 *seq.*
(*i*) Thuc. ii. 52.
(*k*) G. Murray, *Aristophanes and the War-party*. A lecture (London, 1919), p. 8.

It is, then, in the clash of party views and in the jealousy and strife for partisan ascendancy in Athens that we shall discover the real origin of the action taken against Socrates. In the original authorities for this period of Athenian history there is very little clear and precise information regarding the division and constitution of parties, their policy, and the political colour of prominent men (*l*). Hence some historians speak of two parties, others mention three, and even then designate them differently. Now during the last years of the Peloponnesian war, three Athenian parties became distinguishable: the oligarchs, the democrats, and the moderates (that is, a kind of middle party between the two others). The moderates desired to limit the sovereignty of the people, by reducing either the extent of the franchise or the competence of the Assembly, to abolish payment for political service, and the use of the lot for the election of magistrates. The intellectual section of the community generally, including such men as Alcibiades (*m*), were in favour of such a programme; and we know that Socrates demolished the arguments for election by lot (which to him was allowing accident to do what was the province of reason and wisdom), that he regarded the fee-taking Sophists as prostitutory traffickers in the "merchandise of the soul," and that he severely criticised the self-seeking democratic politicians and distrusted the ignorant multitude. Hence he appeared to have given his adherence to the moderate party, which stood, in several respects, for a kind of "philosophical radicalism."

And yet despite Socrates' uncompromising stand on such anti-democratic principles, and others that have already been referred to (*n*), despite his religious rationalism (all the more perplexing to others because of its being allied to a certain mysticism), and in spite of his general unpopularity he was not excluded from the amnesty of 403 B.C., when the Thirty were overthrown and the restoration of the old democracy was effected. He had also gone unpunished, as we have seen (*o*), when in 405 he had defied the Assembly in the Arginusae affair, and in the following year too

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(*l*) Cf. L. Whibley, *Political Parties in Athens during the Peloponnesian War* (Cambridge, 1889), p. 12.

(*m*) Alcibiades stigmatised a thorough democracy as "acknowledged folly" (in the speech at Sparta, Thuc. vi. 89); and there is no doubt that such remarks as this on the part of one who had been an associate of Socrates, and who on this point agreed with him, furnished a handle to Socrates' opponents in their charge of corrupting the youth.

(*n*) See *supra*, chap. v., sect. ii.

(*o*) See *supra*, p. 63.

when he refused to obey the illegal order of the Thirty. But in 399 B.C. the toleration that had for so long a period, and during so many political, social, and intellectual vicissitudes, been accorded to him, was at last withdrawn.

The terms of the amnesty had been observed generally, and the democrats did not take vindictive measures against the adherents of the oligarchical tyranny or the other opponents and critics of democracy. But reconciliations of this kind do not always imply amity and willingness to forget the past. Bitter memories could not easily be expunged from the minds of men who had been sorely tried. The supporters of the restored democracy, contemplating the recent horrible events and anxious to establish this form of government on a secure basis, could not but wonder what had been the causes of discord and disruption in the State, and, more particularly, of the recent usurpation of authority. That there should be a reaction to this tyrannical usurpation was only natural. As Dean Stanley well says :

" It was the moment of a strong reaction. The most galling tyranny to which Athens had ever been exposed had just been overthrown. A restoration of the old democracy had just been effected, under circumstances singularly trying, and in the jubilee of that restoration the whole people of Athens were entirely absorbed. Every association with the dreadful period of the eight months' dominion of the Thirty was now viewed with the darkest suspicion. Every old institution was now cherished with double affection, reminding them, as it did, of the free and happy days which those eight months had suspended, securing them, as it did, from the return of the lawless cruelty and self-indulgence which had been established in the interval. All the suspicions and excitements which Thucydides describes, with a master hand, as the result of the more traditional recollections of the tyranny of the Pisistratides, were now let loose with so much the greater force from the freshness of the recollections of the tyranny of Critias and his associates. All the undefined, mysterious panic which ran through the city after the mutilation of the Hermes-busts was now, although in a less concentrated form, afloat again to vindicate the majesty of the ancient institutions of their forefathers so unexpectedly, so providentially restored to them " (*p*).

As frequently happens after a national convulsion, there was for a time an excess of religious and political orthodoxy and a

(*p*) *Lectures on the History of the Jewish Church*, Third series (London, 1877), p. 212.

spirit of conservatism, which was not favourable to the increasing innovations or to the doctrinaire busybodies who, it was thought, unsettled the minds of the people. Sophistry was considered to have been responsible for many of the perverted politicians who had done so much to tear the State asunder, for inculcating doubt and the questioning spirit, and for teaching that self-interest was the predominant concern of each individual irrespectively of right and the claims of the commonwealth. And Socrates, who was so profoundly different from the Sophists, was identified with them.

In this reactionary movement a very important factor, from our present point of view, was the influence of Anytus, an honest and militant leader of the democracy who had sacrificed his fortune for its sake (*q*), and who had played such an important part, along with Thrasybulus, in delivering the city from the oppression of the tyrants, and afterwards introducing the Act of Amnesty (*r*). His character was assailed by scholiasts and late Greek writers, who alleged that he was guilty of treachery in 409 B.C. when he was sent with thirty ships to relieve Pylos, which was besieged by the Lacedaemonians (*s*), and that on his trial he escaped death only by bribing the judges. But such reports are probably without foundation : neither Plato (*t*) nor Xenophon makes any such suggestion against his honour, and Lysias speaks of the prudence and moderation he showed during his command at Phyle (*u*). Now Anytus harboured also a personal grudge against Socrates, who (according to the statement of Xenophon) had told him on one occasion " that it ill became him to bring up his son in a tan-yard "—that is, to make him follow his father's business —instead of preparing him for a higher profession for which he seemed fitted (*x*). This remonstrance apparently made the son dissatisfied with his business, and so—quite naturally—exacerbated the father (*y*). Plato, too, suggests that Anytus had a

(*q*) Xen., *Hellen.* ii. 3. 42.

(*r*) Isocrat. *c. Callimach.* xviii. 23, p. 375.

(*s*) Diod. xiii. 64 ; Athenaeus, xii., p. 534 e ; Plut., *Cor.* 220 b ; *Alcib.* 193 d, e ; Harpocrat. *s. v.* Δεκάζων.

(*t*) Cf. *Meno*, 90 b.

(*u*) *C. Agorat.* xiii. 78, p. 137.

(*x*) Xen., *Apol.* 29. Cf. Plato, *Meno*, 90 a. The truth of this statement of Xenophon has been questioned by some writers, who have not, however, shown cause for their doubt. Such an incident is quite in keeping with the entire attitude and activity of Socrates. The main thing, however, is not the incident in itself, but the hostility of the influential Anytus ; and this hostility is clearly referred to by Plato, as will be seen in the text above.

(*y*) Professor Murray (*History of Ancient Greek Literature* (London, 1897), pp. 176–177) in his account of the ruin of Anytus' son, makes it appear that his ruin took place before the accusation of Socrates, whereas Xen., *Apol.* 31 says

grievance against Socrates, because of the derogatory opinions passed by him on the democratic statesmen of the time, including even Pericles. Thus Anytus is represented as saying to Socrates in an angry and threatening manner: "I think, Socrates, that you are too ready to speak evil of men; and, if you will take my advice, I would recommend you to be careful. Perhaps there is no city in which it is not easier to do men harm than to do them good, and this is certainly the case at Athens, as I believe that you know" (*z*). Socrates replied that Anytus misinterpreted reasonable and honest analysis as defamation (*a*); but such a protest on the part of Socrates would weigh little with the simple, practical-minded, touchy politician. And it is to be noted, too, that in this context Anytus is described as bursting out against the Sophists, about whom, however, he knows only from hearsay, and with whom he, like Aristophanes and so many others, confused Socrates:

"I only hope," he exclaimed, "that no friend or kinsman or acquaintance of mine, whether citizen or stranger, will ever be so mad as to allow himself to be corrupted by them; for they are a manifest pest and corrupting influence to those who have to do with them. . . . The young men who gave their money to them were out of their minds, and their relations and guardians who entrusted their youth to the care of these men were still more out of their minds, and most of all, the cities who allowed them to come in, and did not drive them out, citizen and stranger alike" (*b*).

Again, Callicles, a democratic statesman, is represented by Plato as advising Socrates to be the servant of the State and not run the risk of popular enmity, and warning him that if he persists in pointing out the errors of the democracy he renders himself liable to be dragged into court by some miserable fellow (*c*). Plato wrote, of course, after the event, and he wrote, too, as a philosophic historian, not as a contemporary reporter. That he thoroughly understood the public feeling of those days there can

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that it was after Socrates' death. The statements also about the son's refusal to follow his father's business of leather merchant, his association with "young aristocrats of doubtful principles or suspected loyalty," Socrates' discussion of "ambiguous subjects with his ruined son" do not seem to be supported by any authority, though these things may well have happened: if so, they must, of course, have intensified the father's bitterness against Socrates.

(*z*) *Meno*, 94 e.
(*a*) *Ibid.*, 95 a.
(*b*) *Ibid.*, 91 b, 92 a.
(*c*) *Gorgias*, 521 a–c.

be no doubt ; and it is pretty certain that the foregoing observations of his were not made idly or merely for dramatic effect (*d*).

We have already shown fully that there was a widely spread prejudice against Socrates ; and he himself is made to emphasise it at once in his speech to his judges (*e*). But the animosity of Anytus (*f*), who now exercised great influence in the counsels of the State, was at the moment of greater consequence. He and the other democratic enthusiasts also suspected Socrates' associates as oligarchical partisans ; and they thought they could not find any of the companions of Socrates who had been of great service to their country. Most of them, as it seemed, gave themselves up—as Socrates did—to destructive criticism, shunned public service or withdrew to other countries, and some openly expressed admiration for Sparta and her constitution. These orthodox democrats, now in power again, recollected with scorn and bitterness the part played by former associates of Socrates : such as Alcibiades, the profaner of the Eleusinian Mysteries, the participator in the mutilation of the Hermae, and the betrayer of his city ; Critias, the terrible master spirit in the rule of the Thirty ; and Charmides, another leading member of the Thirty—those "monsters of impiety," as they were called by Cleocritus, the herald of the Eleusinian Mystae, in his solemn appeal to the adherents of the tyranny at the battle of Munychia (403 B.C.). Obviously, unsophisticated people (and the adjective is doubly applicable here) thought not only that it was a case of like master like pupil, but also like pupil like master. What with Socrates' opposition to election by lot, one of the fundamental democratic institutions, and his deprecation of other democratic practices on the ground that they were not based, indeed, on true knowledge, suspicious folk believed he set himself up as an uncompromising opponent of democracy as well as of the protagonists and their adherents in the recent restoration.

So, with an urgent conviction of his dangerous influence, especially through his destructive criticism which was, too, so readily imitated by his followers, and, fearing for the future, Anytus and his friends came to the final and resolute conclusion that it was imperatively necessary to silence Socrates once for

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(*d*) Cf. Burnet, *Greek Philosophy*, p. 186, in reference to the threatening remark attributed to Anytus : "That is surely meant to be significant. Anytus is not the chief interlocutor, and is apparently introduced solely for this purpose."

(*e*) *Apol.* 22 e–23 c, 28 a.

(*f*) *Ibid.*, 23 e.

all (*g*). Just as Pericles had thought it expedient at a time of emergency (during the excitement of the Samian war, 439 B.C.) to impose restrictions on the freedom of the comic dramatist, so Anytus and the others thought it essential to put out of the way one who could not be suppressed by entreaties or by threats (*h*). Now as a political accusation could not be explicitly made against him owing to the operation of the general amnesty, some other charge, it was thought, might be made and effectively substantiated, thanks to the well-known fearless language of the importunate questioner and arguer. Before, there were various obstacles to making the accusation—the prosecution of the war, the intervention of the Thirty, the unsettled public feeling, the presence of powerful men who had more or less been associated with Socrates, and latterly the business of getting the re-established democracy into proper working order; but now in 399 the moment seemed opportune (*i*), and the pent-up forces found a vent at last (*k*).

Thus the ultimate attack on Socrates in the law courts was intended partly as a vindication of orthodox or "unmixed" democracy as against the moderate party (*l*), which Socrates seemed to favour, and partly—indeed chiefly—as an impeachment of Socrates himself, because the settled democracy became certain that his peculiar and exceptional influence was a dangerously disturbing factor in the community.

Anytus needed no public prosecutor to move in the matter, as he was himself legally competent to make the charge (*m*). Accordingly he proceeded to the office of the King Archon, and laid this accusation against Socrates: "Socrates is guilty, as he does not acknowledge the gods that the State acknowledges, but introduces other new divinities; he is further guilty, because he corrupts the youth. The punishment demanded—Death." The question of corrupting the youth—which involves a very vague charge—will be considered in connection with our examination of the cases for the prosecution and the defence (*n*); but as the

(*g*) Cf. P. van Limburg Brower, *Apologia contra Meliti redivivi calumniam* (Groningae, 1838).

(*h*) Cf. Plato, *Apol.* 38 c.

(*i*) Cf. Taylor, *Varia Socratica*, pp. 38–39.

(*k*) The various allegations against Socrates will be examined in chaps. xiv. *seq.*, where the cases for the prosecution and the defence will be considered. Our purpose in the present chapter is to investigate the circumstances that led to the prosecution.

(*l*) Cf. Jackson, *Ency. Brit.*, s. v. *Socrates*, p. 335 a.

(*m*) See *infra*, p. 231.

(*n*) Chap. xvi.

charge of impiety is a much less indefinite one and the definite death penalty is demanded by the prosecutor as the punishment for this offence, it will be well to consider very briefly in our next chapter the law relating to irreligion and to the application of the penalty.

CHAPTER X

THE LAW RELATING TO IMPIETY.—RELIGIOUS TOLERATION.—THE DEATH PENALTY

Saepius olim
Religio peperit scelerosa atque impia facta.
(Lucretius.)
(Too oft religion has the mother been
Of impious acts and criminal.)

Non, mihi si linguae centum sint oraque centum,
Ferrea vox, omnis scelerum comprendere formas,
Omnia poenarum percurrere nomina possim.
(Virgil.)
(No, had I e'en a hundred tongues,
A hundred mouths, and iron lungs,
Those types of guilt I could not show,
Nor tell the forms of penal woe.)

AMONG ancient peoples, including the Greeks, law was originally part and parcel of religion (*a*). The legislative work of Solon comprised not only a code of law and a constitution, but also a ritual. The Greeks, like other nations of antiquity, were wont to say that their laws were prescribed by the gods ; and in many of their social and political activities as well as in their military enterprises the gods were usually consulted as supreme counsellors and controllers of events. It was the religious conception rather than the juridical consciousness of the people that brought law into existence. Hence to submit to the law, as Plato frequently insists, is to obey the gods (*b*).

Thus the State and the national religion constituted an indissoluble unity ; so that the commission of an injurious act against the State was sacrilege as well as treason, and, conversely, the commission of an improper act against the gods was treason as well as sacrilege. Hence patriotism was regarded as the supreme obligation of every member of the community ; and moral values were usually estimated in terms of civic virtue. Without his " sacred fatherland " the individual was nothing ; to its interests all his own private interests were considered to be subservient. The individuality of the subject being merged in the personality

(*a*) See Fustel de Coulanges, *La Cité Antique* (Paris, 1900).
(*b*) *Laws, passim.* Cf. *Crito.*

of the State, no incompatibility between private claims and public claims could really arise. For the Athenian his State was not an intangible abstraction distant from him and his daily concerns; he played a direct part in all its functions, legislative, executive, and judicial, so that the identity of his life and interests with those of the State was constantly brought home to him in a practical form.

Athens was, therefore, deemed to be not merely a dwelling-place for the Athenian citizen, but also his begetter, his nourisher, his educator, and his protector, so that his entire, wholehearted, indefeasible allegiance was due to her, and obedience to her law must be given without question and without demur. In that striking imaginary colloquy between Socrates and the personified Laws, Socrates, who was entreated to escape from prison and so defeat the operation of the laws of his city, is thus addressed (*c*):

"... Since you were brought into the world and nurtured and educated by us, can you deny in the first place that you are our child and slave, as your fathers were before you? And if this is true, you are not on equal terms with us; nor can you think that you have a right to do to us what we are doing to you. Would you have any right to strike or revile or do any other evil to your father or your master, if you had one, because you have been struck or reviled by him, or received some other evil at his hands? —would you not say this? And because we think right to destroy you, do you think that you have any right to destroy us in return, and your country as far as in you lies? Will you, O professor of true virtue, pretend that you are justified in this? Has a philosopher like you failed to discover that our country is more to be valued and higher and holier far than mother or father or any ancestor, and more to be regarded in the eyes of the gods and of men of understanding? also to be soothed, and gently and reverently entreated when angry, even more than a father, and either to be persuaded, or if not persuaded, to be obeyed? And when we are punished by her, whether with imprisonment or stripes, the punishment is to be endured in silence; and if she lead us to wounds or death in battle, thither we follow as is right; neither may any one yield or retreat or learn his rank, but whether in battle or in a court of law, or in any other place, he must do what his city and his country order him. ..."

And the Laws go on to emphasise that disobedience to them

(*c*) Plato, *Crito*, 50 d–51 c; and *passim*.

will wrong not only the one who disobeys himself, his friends, his country, and the very Laws, but also the guardian deities of the law in the next world (*d*).

So obedience to the law implied piety, piety meant submission to the public interest, as well as acceptance of the State religion ; not to observe the national religion, or to practise a foreign religion was impiety (ἀσέβεια), and impiety was treason to the State. Thus offences against religion were necessarily matters for judicial cognisance ; and departures from orthodoxy were liable to punishment. The well-known decree of Diopeithes, 431 B.C., ordering the prosecution of those who did not recognise the existence of the gods, or who taught such doctrines concerning celestial phenomena as were contrary to the established belief in the gods, was not, of course, a legislative innovation ; it was simply a reassertion of the law and a proclamation that it would be strictly enforced ; and it was, more particularly, as Plutarch tells us, aimed at Anaxagoras and through him at Pericles (*e*). The votaries of natural science were from the first suspected persons ; and the comic poets, among others—as we have already seen (*f*) —were ever ready to pounce upon them and represent them before the people as law-breaking atheists.

The texts of the law relating to impiety have for the most part disappeared. That there were certain legislative enactments is beyond doubt ; for we are told that Pericles proposed to enforce against delinquents who committed acts of impiety not only the written laws, but also the unwritten laws according to which the Eumolpidae pronounced their decisions (*g*). It is doubtful, however, whether the various kinds of religious offences were clearly defined ; so that the crime of "impiety," which term was an extremely elastic designation, could with little difficulty be made to serve as a pretext for the prosecution of refractory or annoying citizens in Athens, as it has been in other parts of the world where the civil authority has attempted to exercise jurisdiction over questions of private belief and conscience.

The prosecution for impiety under the form of *graphé asebeias* (γραφὴ ἀσεβείας) (*h*) possessed a very wide applicability ; in other

(*d*) *Ibid.*, 54 c.

(*e*) Plut., *Pericl.* 32 : καὶ ψήφισμα Διοπείθης ἔγραψεν εἰσαγγέλλεσθαι τοὺς τὰ θεῖα μὴ νομίζοντας ἢ λόγους περὶ των μεταρσίων διδάσκοντας, ἀπερειδόμενος εἰς Περικλέα δι' Ἀναξαγόρου τὴν ὑπόνοιαν.

(*f*) See *supra*, chap. viii., on Cratinus and Aristophanes.

(*g*) These priestly judges officiated generally when the mysteries were concerned.

(*h*) Cf. Smith, *Dictionary of Greek and Roman Antiquities*, vol. i., p. 210.

words, the law took cognisance of a great many species of irreligious conduct; for example, denial or alteration of the national religious belief in general, denial of the deities of the State, introduction of new divinities, to explain celestial phenomena as "natural" phenomena (that is, as distinguished from divine manifestations), profanation of the mysteries, divulging them to the uninitiated or parodying them, speaking disrespectfully of the gods, to pay divine honours to a mortal, non-participation in the public worship and sacrifices or deviating from the prescribed mode of worship or sacrifice (*i*), breaches of the ritual generally, interruption of sacrifices and festivals, insulting a priest or other person engaged in a religious function, performing sacerdotal functions without possessing the necessary qualifications, injuring the temples or the statues of the gods or other objects consecrated to religion—for example, destroying olive trees consecrated to Athena, ploughing fields planted with such trees, cutting down woods devoted to the eponymous heroes—encroaching on consecrated ground, violation of the right of asylum attached to temples, placing a suppliant bough on an altar at the wrong time (*k*), also sorcery, parricide, neglect to bury a dead body, etc. Indeed, it is hardly possible to enumerate all the cases to which the *graphé asebeias* applied.

Obviously, then, religious toleration in Athens was not recognised by the law. No one could claim *de jure* liberty of thought and speech—intolerance is ever the inevitable accompaniment of superstition and fanaticism. But in actual practice there were considerable relaxations from the strict principle of the law and from the traditional policy of the State; and in practice there was greater liberality than Plato thought fit to accord in the speculative construction of his ideal republic. Accordingly there were in Athens far fewer prosecutions for purely religious offences than we might imagine to be the case from the long list of varieties of impiety.

Various circumstances contributed to bring about this freedom. The exigencies of a democratical constitution, in which orators were the real or virtual politicians, fostered a love of ready speech and called for an increasing liberty of expression of opinion,—otherwise, government by discussion could not be carried on at all; and it was not always easy to draw a line of demarcation

(*i*) Cf. Demosth., *C. Neaer.* 116–117, p. 1385.

(*k*) Cf. Andocid., *De Myster.* 110: *νόμος δ' εἴη πάτριος, ὃς ἂν θῇ ἱκετηρίαν μυστηρίοις, τεθνάναι.*

between what appertained to the secular sphere and what fell within the ecclesiastical sphere. Further, aliens were permitted to take up their residence in Athens (*l*), and not possessing the rights and privileges of citizenship and therefore being debarred from participation in the Athenian cultus, they were allowed to practise their own respective religions. Sometimes metics acquired citizenship : in this case it is not certain that they had as a matter of course to adopt compulsorily the Athenian religion too. Probably by the time of Socrates there was no systematic compulsion ; for we know that there were then in Athens various foreign cults and divinities (*m*).

To repudiate the traditional myths, as given for example in Hesiod or Homer, especially such myths as reflected dishonour on the gods, was not regarded as punishable heresy ; and there is no record of a prosecution for impiety on such a ground. Poets writing in serious mood could, without being molested in the least, deny many of these myths : for example, Pindar, the story of Tantalus' banquet (*n*) ; Aeschylus, the story of Apollo's victory over the serpent of Pytho (*o*) ; Euripides, the tales of a deity's hands manacled, and of the hierarchy of the gods (*p*)—indeed, the myths generally which he deemed a sorry product of the imagination. Moreover, the comic poets were permitted to ridicule the gods (though, as has already been shown, this was most likely a special toleration accorded to the comic representations on the stage), and even the serious-minded Aeschylus was allowed to set forth a derogatory representation of Zeus and other deities in his Oresteian trilogy. Few citizens appear to have been interfered with, when they professed new beliefs, free thought, or agnosticism, which became, indeed, increasingly rife in the time of Socrates.

Again, as there were no founder of the State religion, no definitely specified body of theological dogma, and no " articles of uniformity," a citizen's religion came gradually to be concerned with his practical duty to the gods as evinced by his observing outward ceremonial and joining—more or less *pro forma*—in the public worship and sacrifices. Hence if such obligations were fulfilled, and no public or obtrusive declaration was flouted before

(*l*) See the present writer's *International Law and Custom of Ancient Greece and Rome*, 2 vols. (London, 1911), vol. i., pp. 157 *seq.*

(*m*) See *supra*, chap. i., especially at p. 9, and the references there cited ; also *supra*, p. 183.

(*n*) *Olymp.* i.

(*o*) *Eumen.* 4 *seq.*

(*p*) Cf. *Herc. Fur.* 1340 *seq.* Cf. *supra*, p. 7.

the people, and no attempt was made to destroy a citizen's belief or convert him to another religion, strict acceptance of whatever dogmas were laid down by this or that "authority" was not always insisted on.

But, notwithstanding these relaxations, Athens was not always the ideally tolerant city she has been represented to be by admiring historians such as Grote (*q*). He states that it was only in Athens that Socrates could have been allowed so long to go on undisturbed; whereas we must admit, in defence of other Greek States that are made to suffer by the comparison, that quite as free opinions as those of Socrates and more subversive of Greek religion than his were propounded with impunity in other cities by such thinkers as Xenophanes of Colophon, Heraclitus of Ephesus, Parmenides of Elea, Democritus of Abdera, and others. In support of his conclusion Grote seems to rely too much on the idealised declaration of Pericles in his panegyric on Athens, as well as—and irrelevantly so—on the restrictions laid down by Plato for his philosophically constructed republic, where, for example, freedom of speech is reckoned an evil (*r*), and no citizen is allowed to have a private altar or perform sacrifices at home (*s*) (whereas it was allowed at Athens, and we know that Socrates sacrificed also at home as well as in public). The fact that Athens was in practice more liberally tolerant than Plato was in his theory does not necessarily establish the conclusion that Athens was a "model" city in that respect: Plato's various injunctions and prohibitions belonged to his scheme of "paternal" government carried on by an enlightened "tyranny."

Now it was always difficult to determine where comic ridicule as well as serious scepticism ended and where criminal impiety began. Hence those who were responsible for outbursts of bigotry and intolerance had, if they instituted prosecutions, to draw the line for themselves and proceed accordingly; and yet, even in such cases, the difficulty always exists of clearly distinguishing the religious purpose involved from the political or moral implications. It is on account of the possibility of such prosecutions, as much as owing to the actual cases recorded, that Renan contrasts unfavourably the freedom of Athenian republicanism with that of the freedom of thought allowed by Roman imperialism—in his view liberty of thought can flourish better

(*q*) See *History of Greece*, vol. v., pp. 71–73; vol. vii., pp. 143–144, 171.
(*r*) Plato, *Rep.* viii. 557 b *seq.*
(*s*) *Laws*, x. 909 d–910.

when it depends on a monarch than when it depends on jealous and narrow citizens. "Cette liberté-là," he says, "se trouve toujours mieux d'avoir affaire à un roi ou à un prince qu'à des bourgeois jaloux et bornés. Les républiques anciennes ne l'eurent pas . . . Athènes avait bel et bien l'inquisition" (*t*).

This view, however, betrays as much prejudice against Athens as the view of Grote shows prepossession in her favour (*u*). That it is an exaggeration appears from the fact that, despite the great number of acts and omissions for which a citizen might in the strict letter of the law expose himself to an indictment for irreligion, the actual cases of prosecution—at least so far as there is definite record—make up only a very short chapter of intolerance in Athenian history. A few of these cases may be here recalled (*x*).

Anaxagoras, who held that the sun was an incandescent stone and not a god, was proceeded against for holding and teaching impious doctrines, and was condemned to exile and a fine of five talents (*y*) during the earlier part of Pericles' public career (*z*). He retired to Lampsacus, having been unsuccessfully defended by his friend Pericles. (It ought to be added that to the charge of irreligion a political accusation seems to have been joined, namely, treasonable intrigues with Persia.)

Protagoras, the greatest and the best of the Sophists, wrote a work which he read aloud before a select company in the house of his friend Euripides. His essential thesis is perhaps indicated by the first sentence: "Concerning the gods I cannot know that they exist, nor yet that they do not exist; for many things hinder such knowledge—especially the obscurity of the subject and the shortness of man's life." A statement of this kind does not, of course, establish the view that Protagoras really disbelieved in the gods; it only proves that his opinion was that their existence could not well be a matter of knowledge. But the accuser Pythodorus did not interpret the proposition in this way, and obtained a conviction for impiety. The sale of the book was prohibited, and all copies that could be found were burned in the public

(*t*) *Histoire des Origines du Christianisme*: liv. ii., *Les Apôtres* (Paris, 1866), pp. 314–315.

(*u*) Besides, when we bear in mind certain monarchies of recent years and certain existing republics, it would be an arrant paradox for us to maintain that in the former greater liberty of thought was enjoyed than in the latter.

(*x*) See A. B. Drachmann, *Atheism in Pagan Antiquity* (London, 1922).

(*y*) Diog. Laert. ii. 3; Plut., *De Superstit.* 10, *in init.*

(*z*) Mr. A. E. Taylor has endeavoured to show that the date was about, or not later than, 450 B.C. (*Classical Quarterly*, vol. xi. (1917), pp. 81 *seq.*).

place (*a*). Protagoras fled from Athens and was drowned at sea in his voyage to Sicily (415 B.C.). Euripides had in mind his lost friend in his play, the *Palamedes*, where he makes the chorus of Thracian women lament thus: "Ye have slain, O Greeks, ye have slain the nightingale of the Muses, the wizard bird that did no wrong" (*b*).

Euripides, too, was accused of impiety, on the ground that his statement, "My tongue has pronounced the oath, but my soul disavowed it" (*c*), was conducive to perjury, inasmuch as it assailed the sacred character of the oath. Apart from this specific charge, the poet was suspected of out-and-out atheism (*d*). It is worthy of note here that the accusation was brought by Cleon partly for the same reasons as those which afterwards induced the politician Anytus to prosecute Socrates (*e*). ". . . When a prosecution for blasphemy occurred there was usually some other interest than that of religion in the background" (*f*).

Alcibiades was, during his absence from Athens, sentenced to death (415 B.C.) for his alleged participation in the mutilation of the Hermae and for profaning the mysteries. His prosecutors are said to have declared that he offended the goddesses Demeter and Persephone by counterfeiting their mysteries and showing them to his companions in his own house; that he called himself high-priest and his companions initiated persons. All the priests and priestesses were also ordered to pronounce an execration upon him (*g*).

Diagoras of Melos, a dithyrambic poet and friend of Nicodorus of Mantinea, went to Athens, and owing to the influence of Democritus became a freethinker; he derided the gods, divulged and made mock of the Mysteries, and threw a wooden figure of Heracles into the flames in order that he might there undergo a

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(*a*) Diog. Laert. ix. 8. 51; Philostratus, *Lives of the Sophists*, i. 10; Cicero, *De Nat. Deor.* i. 23; Val. Max. i. 1. 7; Sext. Empir., *Adv. Math.* ix. 56. The report, however, has been rejected by some writers: Burnet, *Greek Philosophy*, pp. 111 *seq.*; J. B. Bury, in *Cambridge Ancient History*, vol. v. (1927), p. 384, note.

(*b*) Ἑκανετ', ἐκάνετε τὰν πάνσοφον, ὦ Δαναοί, | τὰν οὐδέν' ἀλγύνουσαν ἀηδόνα Μουσᾶν· (*Fragmenta Euripidis*, ed. F. G. Wagner, Paris, 1846, frag. 589, p. 762).

(*c*) *Hippol.* 612: Ἡ γλῶσσ' ὀμώμοχ', ἡ δὲ φρὴν ἀνώμοτος. Cf. Aristot., *Rhet.* iii. 15. 8.

(*d*) See *supra*, p. 6; cf. Satyrus, *Pap. Oxyrh.* ix. 153.

(*e*) See *supra*, chap. ix. Cleon, like Anytus, was a tanner.

(*f*) Bury, *ibid.*, p. 384.

(*g*) Plut. *Alcib.* 22. Cf. Thuc. viii. 53. An interesting incident is recorded by Plutarch and may be mentioned here. In accordance with the injunction, all the priests and priestesses pronounced the execration, "except Theno, the daughter of Menon, priestess of the temple of Agraulos, who excused herself, alleging that she was a priestess for prayer, not for execration" (Plut., *Alcib.* 22).

thirteenth trial of his strength (*h*). For this offence he was outlawed, and a price was placed on his head (411 B.C.).

Andocides was accused by Callias of having been connected (along with Alcibiades) with the mutilation of the Hermes busts and the profanation of the Eleusinian Mysteries (*i*) was indicted in the same year as Socrates was tried (399 B.C.). Lysias, prosecuting, declared to the judges that if they frustrated the gods in the vengeance that was due to them, the crime would fall on their own heads (*k*). An interesting point in this case is that Anytus, the principal accuser of Socrates, spoke in favour of Andocides at his trial; and it is thought that he did so probably because the revelations of the accused had been of some benefit to the democratic party.

Aristotle was charged (323 B.C.) with paying divine honours to a mortal, in that he had composed and sung a pæan in honour of his friend Hermias, ruler of Atarneus (*l*). Aristotle thought it prudent to depart from Athens; and it is related (*m*) that Aristotle observed on leaving the city that he did not desire the Athenians to sin a second time against philosophy (a reference to the unjust execution of Socrates).

Aristarchus of Samos was one of the earliest astronomers of the Alexandrian school (*fl. c.* 280–264 B.C.). Cleanthes of Samos called upon the Athenians to proceed against him for impiety (*n*) on the ground that he had offended the gods by saying that the earth made an oblique revolution along the zodiac and that it rotated on its axis.

A few other examples of such prosecution are recorded in the later history of Athens, but the above will suffice as illustrations, and also as evidence that complete liberty of thought and speech, especially in regard to religion, did not exist in Athens either in law or in fact.

"These cases show," says Professor Bury, "that the Athenians were not more enlightened than other peoples, or less prejudiced. The attitude of Protagoras to theology was perfectly compatible with a fervent devotion to the religion of the State; but an Athenian jury was not sufficiently well-educated to discern this. When we admire the spread of knowledge and reasoning in the

(*h*) Lysias, *C. Andocid.* 214; cf. Curtius, *History of Greece*, vol. iv., p. 76.
(*i*) Andocid., *De Myst.* 110 *seq.*
(*k*) Lysias, *C. Andocid.* vi. 13. 33. Cf. Demosth., *C. Neaer.* 109, p. 1382.
(*l*) Diog. Laert. v. 1. 3; Val. Max. xv. 16.
(*m*) Aelian, *Var. Hist.* iii. 36: . . . ὅτι οὐ βούλεται Ἀθηναίους δὶς ἐξαμαρτεῖν εἰς φιλοσοφίαν. . . .
(*n*) Plut., *De Fac. in Orb. Lun.* vi. 3.

fifth century, we must remember that the mass of citizens was not reached by the new light ; they were still sunk in ignorance, suspicious and jealous of the training which could be got only by sons of the comparatively well-to-do, or those who were exceptionally intellectual " (*o*).

Let us now look at the penalties that could be inflicted on a person found guilty of impiety. There were different kinds of punishment for this crime as for other crimes (*p*)—death, exile, confiscation of property, fine, imprisonment, deprivation of civic rights—varying according to the gravity of the offence. Apart from the prisoner's detention during the interval between condemnation and execution or detention prior to trial, imprisonment in itself does not appear to have been frequently used as a punishment (*q*), because it probably seemed to the Athenians an expensive and superfluous (*r*), as well as an inadequate, mode of vindicating the majesty of the law and of the gods.

Of loss of civic rights (ἀτιμία) there were three degrees : complete deprivation, involving forfeiture of property ; full deprivation without forfeiture of property ; partial loss of certain rights expressly specified.

Banishment (φυγή, ἀειφυγία) was usually for life, and generally involved confiscation of property. Socrates, had he so elected (*s*), might have received this penalty instead of the death sentence. In case of banishment, if the exiled person did not leave the city before the expiration of the interval fixed for departure, or if he returned before the expiration of the period of banishment, he was brought before the thesmothetae who then ordered him to be put to death, and those who had given him shelter were also liable to banishment. In certain cases the exile's wife was not allowed to accompany him. The law prescribed banishment for a small number of serious offences, but it could also be inflicted at the discretion of the court for various crimes against the State, including religious offences (*t*). Banishment of this kind differed from

(*o*) *History of Greece*, p. 388.

(*p*) On this subject generally, see J. J. Thonissen, *Le droit pénal de la République Athénienne* (Bruxelles, 1875).

(*q*) Imprisonment in itself as a regular penal measure is, indeed, a recent innovation in Europe.

(*r*) Cf. L. Whibley, *A Companion to Greek Studies* (Cambridge, 1916), in the chapter on law by W. Wyse, p. 489.

(*s*) As to the alternative penalty which a prisoner found guilty was permitted to suggest, see *infra*, p. 260. Cf. also *infra*, chap. xviii.

(*t*) Aeschin., *c. Ctesiph.* 79 ; Demosth., *c. Aristog.* i. 95 ; *c. Midiam.* 115, p. 552.

the temporary expulsion for a period not exceeding one year for accidental homicide, and from political ostracism of troublesome citizens for a period of ten years.

The death penalty was inflicted not only for most of the forms of impiety that have been enumerated, but also for acts of treason, murder, thefts in the daytime (if the thing stolen was worth more than fifty drachmae), theft at night, in the baths, or in the gymnasia. The usual formula accompanying a death sentence was that the guilty person should be delivered over to the Eleven (*u*).

The mode of execution was in some cases regulated by custom, in others it was determined by the court. There were crucifixion, the wheel, decapitation, stoning, and other forms; but the gallows, strangulation with ropes, the scourge, etc., were probably used only for the baser class of delinquents, such as slaves, highway robbers, habitual thieves (*x*). Stoning (λιθοβολία) was very seldom used since the legislative reforms of Solon; it was adopted, for instance, in the case of Cylon's fellow-conspirators after they left the temple of Athena Polias, where they had sought asylum (*c.* 632 B.C.) (*y*). We are told that Aeschylus narrowly escaped this penalty (through the intervention of his brother Ameinias, who had distinguished himself at Salamis); he was charged with impiety before the Areopagus, on the ground that he had used in one of his plays an expression derogatory to the national religion (*z*).

The administration of poison came to be, in the latter part of the fifth century B.C., the most frequent mode of capital punishment for distinguished men whose crime was not of a revolting character. There has been much controversy about the nature of the poison used; probably it was like our modern hemlock (*a*). Death seems to have followed easily, rapidly, and without any signs of violence (*b*). By means of it many suicides were committed in ancient times. It was because it was so frequently used

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(*u*) Xen., *Hellen.* i. 7. 10; Lysias, *c. Alcib.* i. 17; Dinarchus, *c. Aristog.* 13.

(*x*) It has been pointed out that recent excavations near Phalerum furnish evidence that the Athenians sometimes inflicted atrocious punishments. (Cf. A. D. Keramopoullos, *ὁ ἀποτυμπανισμός*, in *Βιβλιοθήκη τῆς ἐν Ἀθήναις ἀρχ. ἑταιρείας*. Athens, 1923; referred to in *Cambridge Ancient History*, vol. v., p. 396.) There is no doubt about the terrible nature of many ancient forms of punishment, but it is doubtful whether they surpassed those of modern Christian Europe in barbaric ingenuity and ruthlessness. In our own country, and in recent times too, the penalty for high treason and the *peine forte et dure* were not exactly examples of humanity.

(*y*) Plut., *Solon*, 12.

(*z*) Aelian, *Hist. Var.* v. 19: *Αἰσχύλος ὁ τραγῳδὸς ἐκρίνετο ἀσεβείας ἐπὶ τινι δράματι.*

(*a*) Cf. Imbert-Gourbeyre, *De la mort de Socrate par la ciguë* (Paris, 1875).

(*b*) Cf. Plato, *Phaedo*, 117 a, b, 118.

for self-slaughter through its simple effect that it was given to noted men who were condemned to death, as in the case of Socrates (*c*); and their bodies, too, unlike those of common criminals (*d*), were not thrown into the pit (ὄρυγμα) known as the barathrum (βάραθρον) (*e*), but were handed over to their friends for burial or cremation (*f*). The cup of hemlock was handed to the condemned man soon after sunset, and was taken immediately after his meal. Thus when Socrates seemed to his friends to be somewhat impatient to call for the fatal draught and "be done with it," Crito beseeched him to desist a little longer: "The sun is still upon the hill-tops, and I know that many a one has taken the draught late, and after the announcement has been made to him he has eaten, and drunk and enjoyed the society of his beloved; do not hurry—there is time enough" (*g*). The executioner crushed the hemlock, handed the cup to the prisoner, who drank the poison, walked about his cell until his limbs became numb, then lay down on his couch awaiting the end (*h*). The amount of the dose was carefully regulated; and the executioner told Socrates there was none to spare for his intended libation to the gods (*i*). Plutarch tells us that when the companions of Phocion had drained the cup that was handed to them, there was no hemlock left for Phocion himself; whereupon the executioner said he would prepare no more unless he received twelve drachmae, the price of a full draught. As this incident caused some delay Phocion observed to one of his friends: "As a man cannot die free of cost in Athens, give the man his money" (*k*).

(*c*) Plato does not mention the word hemlock (κώνειον), but simply says that Socrates drank "the poison"—τὸ φάρμακον ἔπιεν, *Phaedo*, 57 a, b, 116 d. Aelian, *Var. Hist.* i. 16, also uses simply the generic word τὸ φάρμακον; but Diod. xiv. 37, mentions the word hemlock—πιὼν κώνειον ἐτελεύτησεν. Cf. Diog. Laert. ii. 42. The symptoms described by Plato (*Phaedo*, 117 a, b, 118) show that the poison used was very probably hemlock. Cf. the similar symptoms mentioned by Aristoph., *Frogs*, 124.

(*d*) These left the prison—τὸ δεσμωτήριον, called familiarly τὸ δίκημα, "the House"—by a door bearing the significant name of the Charonian gate (τὸ χαρώνειον), and were taken to the barathrum (Pollux, viii. 102). The accuser was entitled to witness the execution (Aeschin., *De Legat.* 181, 182; Demosth., *c. Aristocr.* 69).

(*e*) There is a difference of opinion as to its locality. It has been suggested that it was situated in the north-west of Athens, a short distance from the hill of the Nymphs: C. Hanriot, *Recherches sur la topographie des dêmes de l'Attique* (Napoléon-Vendée, 1853), pp. 15, 17.

(*f*) Cf. *Phaedo*, 115 d.

(*g*) *Ibid.*, 116 d.

(*h*) *Ibid.*, 117 c–118 a.

(*i*) *Ibid.*, 117 b.

(*k*) Plut., *Phocion*, 36; cf. Diod. xviii. 67; Aelian, *Var. Hist.* xii. 49. As to the case of Theramenes, who was condemned to death by the Council at the instance of Critias, 403 B.C., see Xen., *Hellen.* ii. 3. 56; Aelian, *Var. Hist.* ix. 21;

The particular penalty to be imposed after the accused was found guilty was not always prescribed by the law. In some cases it was specified in the text of the law or in a decree of the people: for example, the punishment prescribed for pulling up the sacred olive trees was exile and forfeiture of property (*l*); for entering the temple of Demeter during the thesmophoria (one of the great festivals in honour of Demeter, in which only women could take part), the punishment prescribed was death (*m*). As these were cases in which the penalties were expressly imposed by the law the trial was said to be ἀγὼν ἀτίμητος (as distinguished from the ἀγὼν τιμητός). But in the majority of cases the fixing of the punishment was left to the discretion of the court.

After the sentence of death was passed, the condemned man was handed over to the assistants (παραστάται, ὑπηρέται) of the Eleven (οἱ Ἕνδεκα), who were analogous to the Roman *triumviri capitales*. They constituted a college of magistrates annually chosen by lot, one from each of the ten tribes, together with a secretary (γραμματεύς), and the executioner (δήμιος (δοῦλος), δημόκοινος), gaolers, and torturers (who were public slaves) acted under their direction. According to the *Apology* (*n*), Socrates addressed his final speech to those judges who voted for his acquittal, pending the arrival of the officers of the Eleven.

The interval between sentence and execution varied; generally the execution was carried out without any delay, as in the cases of Theramenes, Phocion and his companions, and the generals condemned for neglecting to bury the dead after the battle of Arginusae (*o*) (to which case reference has already been made in connection with the life of Socrates (*p*)). Delay, however, was required by the law, pending the return of the sacred ship sent every year to Delos. Plato makes Phaedo give the reason for the thirty days' interval in the case of Socrates. Referring to the ship sent to Delos, he says:

"This is the ship in which, as the Athenians say, Theseus went to Crete when he took with him the fourteen youths, and was the saviour of them and of himself. And they were said to have vowed to Apollo at the time, that if they were saved they would

Diod. xiv. 4, 5. For that of Polemarchus, put to death in the same year by the Thirty, who had indeed dispatched many Athenians by means of hemlock, see Lysias, *c. Erat.* 17, p. 121.

(*l*) Lysias, *Pro Sacra Olea*, vii. 32, 41.

(*m*) Aelian, *Hist. Var.* v. 17.

(*n*) 39 e.

(*o*) Xen., *Hellen.* i. 7. 33.

(*p*) *Supra*, chap. iii., p. 62.

send a yearly mission to Delos. Now this custom still continues, and the whole period of the voyage to and from Delos, beginning when the priest of Apollo crowns the stern of the ship, is a holy season, during which the city is not allowed to be polluted by public executions; and when the vessel is detained by contrary winds, the time spent in going and coming is very considerable. As I was saying, the ship was crowned on the day before the trial, and this was the reason why Socrates lay in prison and was not put to death until long after he was condemned " (*q*).

We may conclude this chapter by saying that the penal law and administration of Athens was by no means of that barbarous character which marked the administration of the criminal law then existing in many other parts of the world. The mildness and humanity of Athens was often recorded and extolled by the ancient historians and philosophers; and, no doubt, would compare favourably with the penal horrors that obtained in recent centuries in our own country. However this may be, little attention was given to the nature and object of criminal law and penal organisation. Indeed, it is only of late that attention has been given to this subject at all in any part of the world. In Athens, however, there was at least one notable exception, namely, Plato, who was in this, as in so many other matters, in advance of his time (*r*). We must add, too, that there is a story that Pericles and Protagoras passed a whole day discussing the object of punishment: arguments were brought forward (probably by Protagoras) (*s*) in favour of the more enlightened deterrent theory, as against the customary retributive theory (*t*), which was then the only one understood and applied.

Having now seen what was the Athenian law concerning impiety, our next task is to examine the nature and constitution of the court that tried Socrates.

(*q*) *Phaedo*, 58 b.
(*r*) Cf. Thonissen, *op. cit.*, pp. 476–478.
(*s*) Cf. Plato, *Protag.* 324.
(*t*) Cf. the speech of Diodotus in Thuc. iii. 45–46.

CHAPTER XI

THE COURT OF HELIASTS

Δίκη μὲν οὖν νόμου τέλος ἐστί, νόμος δ' ἄρχοντος ἔργον, ἄρχων δ' εἰκὼν θεοῦ τοῦ πάντα κοσμοῦντος.

(Plutarch.)

(Justice is the end of law, and law is the work of the ruler, and the ruler is the likeness of God that orders all things.)

Ἀγωνίαι, δόξαι, φιλοτιμίαι, νόμοι,
ἅπαντα ταῦτ' ἐπίθετα τῇ φύσει κακά.

(Menander.)

(Such follies make not nature's burden light,
For thus we are weighted with imported ill;
Laws, strifes, and party views our cup of misery fill.)

It was the Court of Heliasts (*a*) (or dicasts) that tried Socrates; it was certainly not the Areopagus, as some writers have thought (*b*). Now after the fall of the Thirty and the re-establishment of democracy, *νομοθέται*—*nomothetes* ("lawgivers") were appointed to revise the constitution; and in the meantime the laws of Solon and the institutions of Draco were put into force again. Accordingly, to the Areopagus was assigned part of its old jurisdiction, which had included the trial of cases of impiety. But under the triumphant democracy, whose position was more jealously guarded than ever in view of its recent restoration, it is improbable that the Areopagus with its aristocratic constitution, which was incompatible with democratic ideas, would have been permitted to perform functions that were deemed to be the office of the whole people. For it was the heliastic court that represented the people sitting in a judicial capacity (*c*).

That the court that tried Socrates was not the Areopagus but the Court of Heliasts is evidenced by various facts (*d*). In the first place, the number of judges or jurors—for the heliasts

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(*a*) The leading modern authority on Athenian law and procedure is J. H. Lipsius, M. H. E. Meier, G. F. Schömann, *Das attische Recht und Rechtsverfahren*, 3 vols. (Leipzig, 1905–1915). A brief outline (based on the foregoing) for English readers will be found in the chapter on law by W. Wyse and F. E. Adcock in *A Companion to Greek Studies*, *op. cit.*, pp. 471 *seq.* On the heliastic court, see also J. Vürtheim, "De Heliaeis Atheniensibus," in *Mnemosyne* (Leyden, Leipzig), New Series, vol. 28 (1900), pp. 228–236.

(*b*) For example, V. Cousin, *Oeuvres de Platon* (Paris, 1822, etc.), vol. i., p. 59.

(*c*) Cf. Aristot., *Pol.* iii. 1. 4.

(*d*) Cf. Fouillée, *La philosophie de Socrate*, vol. ii., p. 413.

(οἱ ἡλιασταί) or dicasts (οἱ δικασταί) (*e*) acted in the capacity of both judge and jury—who heard the case was a very large one (over five hundred) (*f*); and such a large number could not apply to the membership of the Venerable Council of the Areopagus. Again, the tone of the speeches of the accusers, so far as we can ascertain their nature from the references that Socrates made to them, is strongly suggestive of the manner of the orators who addressed large assemblies and endeavoured by rhetorical devices to secure their favour; moreover, we gather that those very accusers also warned the judges to beware of succumbing to the seductive oratorical display that Socrates would make before them (*g*). Plato thus represents Socrates as saying to the court at the very outset of his speech in his defence: "How you, O Athenians, have been affected by my accusers, I cannot tell; but I know that they almost made me forget myself—so persuasively did they speak; and yet they have hardly uttered a word of truth. But many as their falsehoods were, there was one of them which quite amazed me—I mean when they told you that you should be upon your guard and not allow yourselves to be deceived by the force of my eloquence" (*h*). Such a manner of presenting a case for the prosecution, such warnings on the one side and protests on the other, would scarcely be possible before the Council of Elders. If we are to believe the story told by Diogenes Laertius (*i*) and by Cicero (*k*) that the orator and speech-writer Lysias offered Socrates a speech specially prepared for his defence, it would seem that the friends of Socrates were anxious about his manner of pleading—for the employment of counsel was not permitted—and were desirous of obtaining for the purposes of his address the advice of a professional orator who had had great experience in forensic oratory, and whose persuasive skill might make an impression on the minds of the judges. But in the Areopagus rhetoric was out of place, and only facts were discussed. Further, the occasional (perhaps frequent) interruptions (*l*) made by numbers of the judges during Socrates' speech, and his request that they should not cry out at a certain remark he was going to make, suggest that it was a large body of a popular

(*e*) In the time of Socrates the term "dicasts" was the more usual one.
(*f*) Socrates refers to the large number of judges he was addressing (*Apol.* 24 e).
(*g*) It reminds us of Antony's protest, "I am no orator as Brutus is," with all its insinuating implications.
(*h*) *Apol.* 17 a.
(*i*) ii. 40.
(*k*) *De Orat.* i. 54.
(*l*) Cf. *Apol.* 21 a, 27 a, 30 c.

kind ; and there is ample evidence to show that not infrequently the judicial proceedings before the heliasts were stormy and turbulent (*m*). Socrates begs the court for indulgence if he should speak in his own way, and not in the oratorical style usual before such a body (*n*). His references to the Arginusae affair and his reminder to the judges how they decided to sentence the generals in a body, and how, when he objected, they raised clamours against him, show that he was addressing a large assembly (*o*). Again, we learn from the *Apology* (*p*) that the judges of the court had taken an oath ; this is evidently the oath that was always administered to the heliasts (as we shall presently see) before the hearing of a case commenced.

The Court of the Heliasts appears to have originated in the time of Solon (*q*). At first its powers were considerably circumscribed, and it acted only as a court of appeal ; but with the development of democratic government and organisation its judicial powers were extended, for it came to be a definitely recognised principle that it was the obligation as well as the right of every citizen to take part in the judicial administration as well as in the work of legislation. In these circumstances it was thought, in the first place, that the law of the land should not be something recondite put in the charge of special " experts," but that it should be simple enough to be understood by the ordinary citizen, who would therefore be competent to pronounce a decision in conformity with it ; and secondly, that, as a protection against the ambition of powerful citizens, and also as a means of ensuring impartial justice, a large body of ordinary citizens chosen by lot would, as a court of law, be more fearless and more independent than a small panel of elected judges. The archons were accordingly deprived of their jurisdiction, and were allowed only to draw up the necessary pleadings and prepare all documents, preliminaries, and matters of procedure in regard to trials ; whilst the popular tribunal of heliasts came to act as the supreme court, whose decision was final and irrevocable. Thus the Heliaea (Ἡλιαία, a word signifying both the assembly of judges and their place of meeting—the " Great Court ") became the natural complement of the Ecclesia.

(*m*) Cf. Aristoph., *Wasps*, 622 ; and see *infra*, p. 245.
(*n*) *Apol.* 17 d–e.
(*o*) *Ibid.*, 32 b.
(*p*) 35 c.
(*q*) Aristot., *Constitution of Athens*, vii. 3 ; ix. 1. Cf. O. Schulthess, *Das attische Volksgericht* (a rectorial address) (Bern, 1921), pp. 3–5.

The Heliaea possessed very wide powers, political as well as judicial. Some of its political functions were to watch over and safeguard the rights and privileges of democracy generally, and in particular to decide as to the admission of aliens, questions concerning the allies of Athens, and the imposition of extraordinary taxes in time of war, to hear claims from the military authorities concerning the equipment of the army, and to advise as to the repeal of laws. This intermixture of political functions with judicial could not but diminish the authority of the Heliaea and affect the confidence of many citizens in its impartiality.

In Athenian law there were two large classes of cases—public and private. They were not, however, distinguished as in Roman jurisprudence or as under our own system ; nor was there any substantial difference between criminal and civil procedure. Private cases in which a sum of not more than ten drachmae was involved were disposed of by a number of magistrates (οἱ κατὰ δήμους δικασταί) chosen by lot, who toured the various demes of Attica. When a sum exceeding ten drachmae was involved, the dispute was submitted to arbitrators (διαιτηταί), who were annually drawn by lot, and whose decisions were enforced by the magistrates. An appeal lay to the Court of Heliasts.

The class of public cases comprised two subdivisions—homicide, and public cases other than those of homicide. Owing to the old conception of homicide as primarily an offence against the gods, the pollution brought about thereby had to be removed by a ceremonial purgation, and also atoned for by special penalties ; and so cases of murder were set apart for trial by the ancient Areopagus, consisting of the ex-archons sitting under the presidency of the King Archon, the principal religious authority of the State. Cases of accidental or justifiable homicide were already, under the laws of Draco, tried by the *ephetae* (ἐφέται), a body of fifty-one judges (*r*) elected according to merit from among the *Eupatridae* (or nobles). But all other public cases fell within the wide province of the Court of Heliasts. The proceedings were there commenced by "public actions" (ἀγῶνες δημόσιοι, δίκαι δημόσιαι, or briefly and usually γραφαί), which thus applied to all crimes affecting the independence, security, liberty, or honour of the State, as well as to all offences against the national religion.

In Athens there was no permanent public prosecutor, as there

(*r*) This judicial institution, however, seems to have disappeared early in the fourth century. Cf. G. Smith, "Dicasts in the Ephetic Courts," in *Classical Philology* (Chicago), vol. xix. (1924), pp. 353–358.

is in modern systems. When an offence was committed by an officer in any department of the city's government, the controlling head was obliged to prosecute the offender. In the case of a notorious crime a special commission was sometimes appointed by the Ecclesia for making a preliminary investigation, and then one or more prosecutors were required to prefer the indictment. Apart from these cases any Athenian citizen enjoying full rights of citizenship was entitled to bring a public action (except one of the archaic δίκαι φονικαί (*s*)), in regard to the commission of homicide, even though he had not himself been injured by the act complained of. Such a right of accusation was considered an intrinsic constituent of citizenship in a democratic State (*t*) where the feelings of the citizens ran high in regard to public affairs and were frequently expressed in the courts of law ; it was also thought to be a safeguard against impunity on the part of those whose violations of law were not discovered by the public officials or might be connived at by them. To prevent the bringing of an action where there was no reasonable or probable cause, and to discourage purely malicious prosecutions and vexatious and frivolous litigation in general, a plaintiff in a private suit, if he lost his case, had to pay the costs, and if he did not get a fifth part of all the votes cast by the judges (or jurors) he was also fined ; in a public action (*u*) the prosecutor in such circumstances incurred a fine of 1,000 drachmae (about £200)—a very heavy sum in those days.

The Court of Heliasts being the sole court for hearing these public actions, its decisions were necessarily final and irrevocable (δίκαι αὐτοτελεῖς), so that a right of appeal against them was not recognised.

In order to enable an Athenian citizen to sit as a judge at a trial, two processes were necessary : first, his appointment to the office of judge ; secondly, the allotment to him of a particular court. A citizen's qualifications for this purpose were the possession of a sound mind, attainment of the age of thirty, and freedom from special disabilities, for example, not being indebted to the Public Treasury, and not being subject to any deprivation of the rights of citizenship (ἀτιμία) (*v*). Citizens offered themselves

(*s*) The expression γραφὴ φόνου is given in Meier-Schömann-Lipsius, *Der attische Process*, but does not appear to be found in the orators or other ancient sources.

(*t*) Cf. Aeschin., *c. Ctesiph.* 220.

(*u*) Cf. *Apol.* 36 a.

(*v*) Demosth., *c. Timocr.* 123, p. 739.

voluntarily for this service—unlike our jury—and at the beginning of each judicial year a list was drawn up containing the names of all the citizens who applied for enrolment and who were found qualified for the post. We have no record, however, showing how the body of judges was recruited in the fifth century, and the accounts of the system in the following century are rather obscure. Now the Athenians were a litigious people, and their allies brought their suits to Athens, and as a bench of judges was necessarily a large one owing to the thoroughgoing democratic idea, it follows that there must have been several courts with a great number of judges. Aristophanes (*x*), writing in 422 B.C. (the year following his burlesque of Socrates), mentions the approximate number of 6,000, which was, however, a maximum that had never been exceeded. Aristotle, too, writing of the period of Athenian history following the Persian wars, when the power of the first Athenian Confederacy was at its height, mentions as a round number 6,000 judges (*y*), whilst the citizen population amounted to between 20,000 and 30,000 (male persons of military age, that is over eighteen years old) (*z*). After the conclusion of the Peloponnesian war, when the allies discontinued the bringing of lawsuits to Athens, there was no need to recruit such a large body of judges.

In any case the 6,000, if not an exaggerated estimate, was very likely a merely nominal number ; for it is scarcely credible that such an enormous proportion of the total number of citizens should be serving in a judicial capacity in the same year (*a*). It may be, too, some of the dicasts were put on more than one panel, so that the total number of names would be larger than the actual number of persons available (*b*).

The small sum paid to these judges shows strikingly on what a small amount of income large masses of the Athenian citizens could live in those days. One of the principal features of the democratic reforms of Pericles was the introduction of payment of State offices, first the archons and members of the council, then —as a still more acceptable measure—the judges of the popular

(*x*) *Wasps*, 662 : ἐξ χιλιάσιν, κοὔπω πλείους ἐν τῇ χώρᾳ κατένασθεν.

(*y*) *Constitution of Athens*, 24 : δικασταὶ μὲν γὰρ ἦσαν ἑξακισχίλιοι.

(*z*) Estimates of the population of Athens are based to a large extent o conjecture. A recent calculation of the total citizen population at the outbreak of the Peloponnesian war (431 B.C.) gives the number as between 150,000 to 170,000 (including women and children). See *Cambridge Ancient History*, vol. v., p. 11, and the authorities there cited.

(*a*) Cf. M. Fränkel, *Die attische Geschworenengerichte* (Berlin, 1877).

(*b*) M. Fränkel, " Der attische Heliasteneid," in *Hermes* (Berlin, 1878), vol. xiii., pp. 452–466.

courts. The judicial business at this time was large and was fast increasing, and the number of judges able to act in an honorary capacity was inadequate. Accordingly, at the time of the attack on the Areopagus, it was established (about 462 B.C.) (*c*)—on the motion of Pericles (*d*)—that judges should receive a remuneration of one obol (about 1½*d*.) a day, and this sum was soon afterwards raised to two. Later (425 B.C.) Cleon raised the fee to three obols (*e*), partly for the purpose of securing his own popularity, and partly with a view to relieving the distress of large masses of the citizens who suffered through the continual warfare, and especially through the destruction and failure of the harvests.

This small pittance (*f*), which was not very much less, however, than the wages payable for unskilled labour (*g*), was sufficient to induce as many as 6,000 qualified citizens to apply for enrolment in the annual lists. It was, however, pay earned without very much trouble, and so it attracted the poor, the idle, the maimed, and, above all, the elderly members of the community who were no longer fit for manual or active labour. Aristophanes, satirising the heliastic system in his *Wasps*, makes the chorus consist of old men dressed as wasps and each armed with a sting, and he shows how the great number of dicasts were anxious to earn the triobulum (*h*). We can well imagine that, in these circumstances, the intellectual capacity of the great majority of the judges could not have been of a very high order; but, no doubt, they thought it an agreeable occupation to sit in court and listen to all kinds of interesting cases, involving the lives and property of citizens—sometimes eminent or notorious men—and the marked obsequiousness and obtrusive respect invariably manifested by litigants, particularly so by defendants in criminal cases, flattered their self-importance and sense of power. They

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(*c*) A writer in *Cambridge Ancient History*, vol. v., p. 101, estimates the date as 451–450 B.C.

(*d*) Cf. Aristot., *Constitution of Athens*, xxvii. 3.

(*e*) Cf. Schol. on Aristoph., *Wasps*, 88. This was still the payment in the time of Aristotle: *Constitution of Athens*, 68. 2.

(*f*) Cf. Fritzsche, *De Mercede Judicum apud Athenienses* (Rostock, 1839); Boeckh, *Public Economy of Athens*, pp. 235–236.

(*g*) For example, scavengers, farm-hands, and porters received from three to four obols a day. Skilled labour was paid from 1 drachma 3 obols to 2 drachmae 3 obols per day (including rations). Discrimination was not always made between manual labour and intellectual and artistic labour: for we find that sometimes an architect earned no more than 1 drachma (about a franc) a day. See Boeckh, pp. 116 *seq.* It has been estimated that the purchasing power of the drachma (= 6 obols) varied during the fifth century B.C. between that of 4*s*. 6*d*. and 3*s*. 6*d*. in present English currency (*Cambridge Ancient History*, vol. v., p. 8 note).

(*h*) *Wasps*, 300 *seq.*, 420. See *infra*, towards the end of this chapter.

might thus serve year after year, so that their judicial function and their jury service combined would become their regular employment.

At about the time of Socrates' trial, it appears—if we are to judge from the allusions of Aristophanes (*i*)—that the 6,000 enrolled dicasts were annually divided by lot into ten sections, panels, or dicasteries, indicated by the first ten letters of the alphabet—A, B, Γ, Δ, E, Z, H, Θ, I, K; thus, there were dicastery A, dicastery B, and so on to dicastery K. Our information from such meagre sources is not sufficient for us to understand the system then in force, so that we have to take the account given by Aristotle (*k*) at a later period (about 325 B.C.) of the then existing organisation; but this in all probability represents substantially the kind of method that was adopted at the time of Socrates' indictment. From the latter description we learn, then, that each of these dicasteries contained some 500 jurors (*l*) and included representatives from every tribe, the remaining 1,000 (as suggested by certain writers) being reserved as supernumeraries for filling vacancies due to absence or resignation (for there seems to have been no compulsion whatever to attend). After this classification, each dicast received, as his badge of office, a ticket or pass (πινάκιον, πινάκιον δικαστικόν)—which was at one time a bronze tablet, and in the time of Aristotle was made of box-wood—on which were engraved the letter of his section, his name and frequently the name of his father too, and the deme to which he belonged; and it was valid for the current year (*m*).

An important part of these preliminary proceedings was the administration of the oath (ἡλιαστικὸς ὅρκος, ὅρκος ἡλιαστῶν, δικαστικὸς ὅρκος). Exactly when the oath was taken we are not told; it would seem that the most convenient occasion for doing so would be at the distribution of the badges of office, that is, at the opening of each judicial year (*n*). There is no extant record of the entire oath as it was actually administered, but an approximate reconstruction of it may be made from various detached clauses found

(*i*) For example, in *Ecclesiazusae*, 683 *seq.*; *Plutus*, 1166 *seq.*; *Wasps*, 662.

(*k*) *Constitution of Athens*, 63. See G. Colin, "Les sept derniers chapitres de l' 'Αθηναίων πολιτεία," in *Revue des études grecques* (Paris), vol. xxx. (1917), pp. 20–87.

(*l*) That is why Pollux speaks of the Heliaea of Five Hundred—'Ηλιαία πεντακοσίων (viii. 123).

(*m*) For illustrations of such tablets, see E. L. Hicks and G. F. Hill, *Manual of Greek Historical Inscriptions* (Oxford, 1901), pp. 286–287. A large number of such tablets of the fourth century are shown in *Corpus Inscriptionum Atticarum* (Berlin, 1873, etc.), ii. 2. Nos. 875 *seq*.

(*n*) Cf. Isocrat., *Antidos.* 21; c. *Callimach.* 34.

in the works of the orators, chiefly Aeschines and Demosthenes. It was, then, to the following effect (*o*) :

" I will judge in accordance with the laws and decrees of the Athenian People and the Council of the Five Hundred, and where the said law is silent, I will act to the best of my honest judgment without favour or hostility. I will decide on nothing but what has been submitted to the court. I will hear both sides impartially. I swear it by Zeus, by Apollo, and by Demeter ! If I am faithful to my oath, may much good befall me ; but if I prove false to it, may destruction fall upon me and my family " (*p*).

The swearing-in was originally performed on the Ardettus, a piece of rising ground outside the city walls on the left bank of the Ilissus, and overlooking the Panathenaic stadium. Later on, a place nearer the centre of the city was selected, but its position is not known.

The general list of judges for the year having been prepared, their division into ten panels effected and the oath taken, the next question was how they were to proceed to their duties. Here the first thing to be done was the assignment of courts (*q*) each day to the dicasts (κλήρωσις τῶν δικαστηρίων) (*r*)—for a trial had to be finished on the same day (*s*). This was an elaborate process, the object of which was to prevent corruption, intimidation, or packing. The thesmothetae determined what trials should be taken and what court-houses used each day. The number of judges requisite for each case was fixed by rules (which are not known to us), for it was not necessary that the full quota of each section should sit ; and the number of judges in the courts varied considerably (as we shall see presently). Early in the morning the judges attended at the ten allotment-chambers (κληρωτήρια) —one for each tribe—where the drawing of lots took place under the supervision of the secretary of the thesmothetae and the archons, each presiding over his own tribe—the aim being to make each court representative of all the Athenian tribes.

As the number of cases for the day and the number of judges required for each were known in advance, a tenth part of the

(*o*) Cf. Fränkel, *loc. cit.*, on " Der attische Heliasteneid " ; Westermann, *De Jurisjurandi Judicum Atheniensium Formula* (Leipzig, 1859).

(*p*) It has been suggested that the latter part was a temporary addition made immediately after the amnesty (G. Gilbert, *Handbuch der griechischen Staatsaltertümer* (Leipzig, 1893) ; the first vol. trans. into English—*The Constitutional Antiquities of Sparta and Athens* (London, 1895), p. 393.

(*q*) See also E. Poste, in *Classical Review*, vol. vii., pp. 154–156, 196.

(*r*) *Corp. inscrip. att.* ii. 567 b ; Pollux, viii. 88.

(*s*) Cf. Plato, *Apol.* 19 a, 37 a ; *infra*, p. 252.

number needed were chosen by lot (*t*) in each allotment-chamber; the whole number thus selected were those who had to sit that day. The courts to be used were designated by letters from Λ onwards, and the lintel (σφηκίσκος) of the door of each court was also marked by a distinguishing colour. For example, if three courts were to sit, say, the New Court marked green, the Triangular Court marked red, and the Great Court marked white, and 300 judges were needed for the first, 400 for the second, and 500 for the third (*u*); then, assuming that the latter Λ was used for the New Court, the letter M for the Triangular Court, and the letter N for the Great Court, in each of the ten allotment-chambers 30 acorn-shaped tokens (βάλανοι) (*x*) marked Λ, 40 marked M, and 50 marked N were put together in an urn, and 30 green wands (βακτηρίαι), 40 red ones, and 50 white ones were deposited at the entrance. Each of the 1,200 judges nominated then drew a token; a judge who drew one marked Λ had to serve in the New Court and so received a green wand, a judge who drew one marked M had to serve in the Triangular Court and so received a red wand, a judge who drew one marked N had to serve in the Great Court and so received a white wand. Then all went off, with their tokens and wands (*y*), to their respective courts. On or before entering his court each judge handed over his token to a pay-clerk (*z*) (κωλακρέτης), and obtained in return a ticket of attendance (δικαστικὸν σύμβολον) (*a*), which he exchanged for his pay (δικαστικὸς μισθός) at the conclusion of the day's sitting. If he arrived after the opening of the proceedings, he was not admitted and he lost his three obols (*b*).

The number of judges constituting a court varied according to the nature and importance of the particular case (*c*). The minimum number mentioned is 201. When a larger body was essential, a number of hundreds were obtained and in each case another judge was added to make the total an odd number, in order to prevent the casting of an equal number of votes on each side. (This appears to point to the fact that voting on the part of each

(*t*) Cf. T. Teusch, *De Sortitione Judicum apud Athenienses* (Göttingen, 1894).

(*u*) That these round numbers were not used will be seen presently.

(*x*) These were made sometimes of nickel, sometimes of wood.

(*y*) The wand as the ancient symbol of judicial functions is mentioned already in Homer—σκῆπτρον (*Il.* ii. 86, 206).

(*z*) Cf. Aristoph., *Wasps*, 695, 724.

(*a*) Several of these tickets have been preserved; one face bears an imprint of the triobolon, the other contains a letter of the alphabet indicating either the court or the section. See Daremberg-Saglio, vol. ii., pt. 1, p. 193.

(*b*) Cf. Aristoph., *Wasps*, 690: ὕστερος ἔλθῃ τοῦ σημείου, τὸ τριώβολον οὐ κομιεῖται. Andocid, *De Myst.* 36.

(*c*) Demosth., *c. Timocr.* 9; Pollux, viii. 123.

judge was compulsory.) Hence when so many exact hundreds are given in the various records, the writer no doubt stated simply the round number, disregarding the odd unit. Thus we hear, from some authorities of the fourth century (*d*), of courts of 201 judges, 401, 500 (+ 1)—as in the case of Socrates' trial—700 (+ 1), 1,001 (*e*), 1,500 (+ 1)—as in the trial of Pericles (*f*) and of Demosthenes (*g*)—2,000 (+ 1) (*h*), 2,500 (+ 1) (*i*). In at least one recorded case the figure 499 is given (*j*); here the number originally fixed was no doubt 501, so that either there was a mistake in the record, or two of the jurors withdrew for some reason or other. It was only in great political trials that the number was 1,001 or more. A reference in Andocides (*k*) to a court of 6,000 judges in 415 B.C., in a γραφὴ παρανόμων (an action against a rule of law on the ground that it conflicted with some law still in force), is very likely an erroneous interpellation in that part of the orator's text (*l*); for had provision been made by the Athenian legislature for the setting up of such an enormous dicastery, it would certainly have been mentioned elsewhere in the texts of the ancient orators, historians, or grammarians. In the majority of cases for trial a number less than 500 sufficed; but in the more important trials a tribunal of 501 was usual (*m*).

To us it seems strange that such large courts were set up to hear ordinary causes; indeed, many people in this country have from time to time doubted the wisdom of maintaining even a jury of twelve, although their province is only the determination of facts. Aristotle refers to the contemporary practice of permitting a large assembly of men to give decisions in judicial actions, and he justifies it on the ground that, as the supremely wise man for such a task is difficult to discover, several ordinary heads are better than one, and, further, that a multitude of men are less liable to corruption than an individual.

(*d*) Cf. Aristot., *Constitution of Athens*, 53. 3 (where courts of 201 and of 401 judges are mentioned).

(*e*) Demosth., *c. Timocrat.* 27, p. 708. Cf. Pollux, viii. 101.

(*f*) Plut., *Pericl.* 32.

(*g*) Dinarch., *c. Demosth.* 107.

(*h*) Lysias, *c. Agor.* 35.

(*i*) Dinarch., *c. Demosth.* 52.

(*j*) *Corp. inscrip. att.* ii. 778.

(*k*) *De Myst.* 17: κἄπειτα ὁ πατὴρ καταστήσας ἐγγυητὰς ἐγράψατο τὸν Σπεύσιππον παρανόμων, καὶ ἠγωνίσατο ἐν ἑξακισχιλίοις Ἀθηναίων, καὶ μετέλαβε δικαστῶν τοσούτων οὐδὲ ἰακοσίας ψήφους ὁ Σπεύσιππος.

(*l*) Cf. G. Perrot, *Essais sur le droit public et privé de la République athénienne. Le droit public* (Paris, 1867), p. 246.

(*m*) Aristotle uses the term dicastery (δικαστήριον) not only for the courthouse (*Constitution of Athens*, 63. 5) and the body of judges (64. 5), but sometimes also for a normal court of 500 members (68. 1). Cf. Pollux, viii. 123.

". . . Any member of the assembly, taken separately," he observes, "is certainly inferior to the wise man. But the State is made up of many individuals. And as a feast to which all the guests contribute is better than a banquet furnished by a single man, so a multitude is a better judge of many things than any individual. Again, the many are more incorruptible than the few; they are like the greater quantity of water which is less easily corrupted than a little. The individual is liable to be overcome by anger or by some other passion, and then his judgment is necessarily perverted; but it is hardly to be supposed that a great number of persons would all get into a passion and go wrong at the same moment" (*n*).

The fear of bribery and peculation—and, we may add, of intimidation by the powerful—was an ever present bugbear of Athenians, as was also the fear of arbitrary powers exercisable by one person or by a very small number of persons; a large number was, moreover, supposed to be more consistent with the democratic structure of the State and the conception of the part to be played in it by every citizen. Such considerations had great weight with the "average" Athenian, as many other ancient writers besides Aristotle testify. But, without demurring to his two analogies which possess more stylistic than logical value, we may say that Aristotle's distinction between the self-command of an individual and that of a large and miscellaneous group of people is scarcely in conformity with our experience—and even with ancient experience—of crowd behaviour. His argument on this point would be more cogent, if decisions in the large Athenian tribunals had to be unanimous; as it was, 251 passionately prejudiced judges could prevail over the other 250 judges who might be self-controlled and impartial.

Be this as it may, there were in Athens several large courthouses (*o*). We hear, in the first place, of the Heliaea or Great Court, and also of the Greater Court (Μεῖζον); but references to the Greater Court probably implied the Heliaea, which may have been the principal and the largest dicastery (*p*). Other courts, of less importance, were designated by the colour of the lintel of

(*n*) Aristot., *Pol.* iii. 15, 1286 a; Jowett's trans. (Oxford, 1885), vol. i., p. 99. Cf. Aristot., *Constitution of Athens*, 41. 2, where we are told that a small number is more liable to corruption than a large one is, either by reason of greed or partiality: εὐδιαφθορώτεροι γὰρ (οἱ) ὀλίγοι τῶν πολλῶν εἰσιν καὶ κέρδει καὶ χάρισιν.

(*o*) Cf. Gilbert, *op. cit.*, p. 397; G. F. Schömann, *The Antiquities of Greece*, vol. i., Eng. trans. (London, 1880), p. 476.

(*p*) E. Caillemer, in Daremberg-Saglio, *Dict. des Antiquités*, vol. ii., pt. i., p. 194 b (s.v. *Dikastai*).

their doors—for example, Red Court (τὸ φοινικιοῦν), Green Court (τὸ βατραχιοῦν) (*q*); by the date of the construction of the court, such as New Court (καινόν); by its shape, such as Triangular Court (τρίγωνον) (*r*); by its position, such as Middle Court (Μέσον); by its architect, etc. Most of these courts were, apparently, situated in the neighbourhood of the Agora (*s*); others were in different parts of the city; and in the time of the orators the heliasts sat sometimes two at the Palladion (a sanctuary of Pallas), the Delphinion (a sanctuary of Apollo Delphinios), the Odeon (a building erected by Pericles, and originally intended for musical performances), and other places (*t*).

A reader, hearing of all these courts, and for a comparatively small population too, will conclude, obviously, that the Athenians must have been a very litigious people. Their entire system of government was, indeed, a government by speech, and therefore was conducive to general argumentation, differences of opinion, disputes, and the disposition to "go to law" in order to settle them by more speech-making. Aristophanes in the *Wasps* satirised this proclivity as much as he assailed the fussy dicasts with their hearts set on their three obols. In the *Clouds* also Strepsiades (whose acquaintance we have already made) (*u*) is shown a map of the world with Athens marked on it; but he refuses to believe that it is really Athens because, as he says, he sees no dicasts sitting there, that is, he sees no lawsuits going on—as though this were the distinguishing characteristic of his city (*x*). We have to remember, however, that in the time of Aristophanes, many of the cases tried were brought from the allied cities; still at that time "the whole city resembled a vast court of law" (*y*).

The heliastic courts sat every day, except on public holidays, on certain unlucky or unfortunate days (ἀποφράδες ἡμέραι, that is, "dies nefasti"), and on those days on which the Assembly of the people met.

(*q*) Pausan. i. 28. 8.
(*r*) Pausan. i. 28. 8; Pollux, viii. 121.
(*s*) Lysias, *De bonis Aristoph.* 55.
(*t*) Schömann, *op. cit.*, pp. 476–477.
(*u*) See *supra*, p. 173.
(*x*) *Clouds*, 208. Cf. *Knights*, 1317; *Birds*, 39: *Peace*, 505. See also Lucian, *Icarom.* 16, who, enumerating the national pursuits of various peoples as seen by Menippus looking down from the moon upon the earth below, says that whilst the northern races are fighting, the Egyptians ploughing, the Phœnicians carrying their merchandise over the sea, the Spartans undergoing physical training, the Athenians are "sitting in the jury-box" (ὁ Ἀθηναῖος ἐδικάζετο).
(*y*) Curtius, *History of Greece*, vol. ii., p. 452.

It was, then, one of these heliastic courts that tried and condemned Socrates. Now there were various grave defects in the Athenian judicial administration in general. The law of a civilised State, if it is to be efficient, just, certain in its application, and fairly predictable in the event of these or those facts or occurrences, must constitute an organised science; and its mastery can be attained only by those who make it their life's study and predominant concern; that is to say, the science of law necessarily demands the existence of legal scientists. But these desiderata were not found in the Athens of Socrates. There was no bench of specially trained judges, there was no bar of specially trained lawyers, there were no juries for determining questions of fact only—for the dicasts acted both as juries and as judges—there were no accessible texts of the law as a whole, and no regard was paid to previous decisions; further, the president of the court had no more knowledge of the law than the dicasts, and his function was to call up the contending parties and the witnesses, to preserve order, and to see that the parties did not in their speeches exceed the time allotted. The comparison, made by Grote (*z*), between the Athenian dicastery and our jury is, therefore, obviously erroneous, on the ground of the difference in the number of members, and—what is far more important—the profound difference in their general attitude, in their functions in the case before them—especially their part in regard to the admission of evidence—and their guidance in respect of the law applicable to the facts and circumstances of the case.

We have already found it impossible to accept Aristotle's argument which attempted to justify the use of very large bodies of men for judicial purposes; and we may now add, besides, that the individual members of a large assembly of people must of necessity have a less sense of responsibility than the individual members of a very small jury, and also that a large group is always more liable to give way to passion and to disregard the dictates of reason. Moreover, the fact that a verdict of guilty could be returned on the strength of a majority of one vote in a total of several hundred votes and so dispose of the life and property of a defendant is contrary to the generally accepted principle that an accused ought not to be condemned if there is real doubt about his guilt—and there certainly is very great doubt if 500 men believe him to be innocent whilst 501 believe him to be guilty.

(*z*) *History of Greece*, vol. iv., pp. 469 *seq.*

When we realise that Socrates was brought before a miscellaneous assembly of 501 Athenians, including superannuated officials, old and decrepit artisans, little shopkeepers, and others unable to find more remunerative employment, most of them dominated by petty interests, and all appointed haphazard without in the least considering their capacity and aptitude for one of the most delicate tasks, it is difficult for us to believe they could be competent to give a sound decision on the law of impiety and on the question of corrupting the youth. It is difficult for us to believe that they could appreciate adequately the arguments he advanced in his arresting defence, or understand his real character and the nature of his conduct, or estimate justly the value and cogency of the speeches for the prosecution and grasp the relevance and probative force of the evidence adduced.

The body of Athenian law was undoubtedly less voluminous, less complicated, and less " technical " than ours ; and there was also an application of a certain broad equity (ἐπιείκεια) in order to bring into harmonious relation the general rule of law (νόμος) in its strict form to the actual facts of the particular case. Aristotle thus defines this " equity " (*a*) : " The nature of the equitable is the correction of law, inasmuch as law falls short of what is required by the universal terms in which it is expressed. This (deficiency) is the reason why all things cannot be regulated by law, so that decrees are required ; that which does not admit of definition must be governed by indefinite rules." It may be that such principles of equity were not infrequently applied to the settlement of various kinds of civil disputes. As the late Sir Paul Vinogradoff said : " Though learned jurisprudence in the sense of the Romans could not arise on such soil, the courts succeeded in treating problems of property, possession, obligation, association, etc., in the light of advanced notions of justice, fairness, and social expediency " (*b*). But it is very doubtful whether most of the members of a dicastery in cases of life and death—especially in a case in which a notorious person figured, one who had always behaved as a persistent ' gadfly ' towards so many of them, and who entertained also certain anti-democratic views—applied any rules at all : they would be much more disposed to give an *ad hoc* decision in accordance with their own prevailing feelings and prepossessions.

(*a*) *Nic. Eth.* v. 10. 3, 1137 b. Cf. *Rhet.* i. 13. 13–18.
(*b*) *Outlines of Historical Jurisprudence*, vol. ii. (Oxford, 1922), p. 12.

Indeed, in the Athenian legal system law could hardly develop. There was no such thing in it as case law for interpreting and supplementing the written law, for supplying tribunals with a standard and a guide for their decisions; for no account was taken of precedent, inasmuch as each court was deemed to be a representative assembly of the people, supreme and unaccountable to any other authority. There was therefore no collection of judicial decisions containing principles approved by the community as binding rules of law; and no reasons were given or had to be given by the courts for their judgments. Hence the application of the law, such as it was, was and could not help being arbitrary and capricious. And so the speeches of the parties were framed and adjusted accordingly: appeals in the most vigorous rhetorical style were usually made to the sentiments, prejudices, self-esteem, and bigotry of the judges rather than to their judicial consciousness and sense of justice, thus making possible the introduction by pleaders of Sophistic devices in order to make the worse appear the better cause (*c*).

Though a party was not allowed to have his case presented for him by an advocate—either an orator or one learned in the law—there was nothing to prevent his learning by heart a speech prepared for him by a professional speech-writer (λογογράφος) (*d*). Hence, the tribunals being what they were, we are not surprised to find that forensic oratory, far more than political oratory, was to a large extent in Athens (and to a still greater extent in Rome) irrelevant to the real issue involved (*e*). That was so, because the aim of the speech was, not so much to furnish to the court full and exact information about the matter under consideration, as to excite the emotions of the large audience of judges in favour of the speaker, to flatter and cajole them by all the arts of dissimulation and duplicity, rather than to appeal to their reason by a logically constructed series of arguments, involving close reasoning and vital legal distinctions. The dicasts were, indeed, suspicious of any pleading that brought forward fine legal points.

No wonder, then, that the simple-minded and excitable dicasts were not infrequently outwitted by cunningly devised speeches containing some facts known to them, some arguments mani-

(*c*) Isocrat., *c. Callimach.* xviii. 9. 10; Lycurgus, *c. Leocr.* 11, 12: Οἱ μὲν γὰρ πλεῖστοι τῶν εἰς ὑμᾶς εἰσιόντων πάντων ἀτοπώτατον ποιοῦσιν, etc. Cf. Vinogradoff, *op. cit.*, vol. ii., pp. 11–12.

(*d*) See the next chapter on procedure, p. 253.

(*e*) See Lord Brougham, *Dissertation on the Eloquence of the Ancients*, in *Works* (Edinburgh, 1872), vol. vii., p. 45; Sir R. C. Jebb, *The Attic Orators*, 2 vols. (London, 1893), pp. lxxviii., cv.–cvi.

festly correct, and some plausible statements to which they could not well demur, but—and here are the noxious ingredients—all intermingled with vituperative declamation, and sometimes, thanks to the ignorance of the judges, with deliberate misrepresentations of the law concerned, as well as with baseless insinuations and downright falsehoods, whereby one of the parties was commended to the court and the other discredited in its eyes. As an able commentator on the works of some of these speech-writers aptly observes :

" The student of this and other speeches must take for his guidance the maxim of Epicharmus, *νᾶφε καὶ μέμναο' ἀπιστεῖν*, supplemented by the reflection that a professional writer for the courts, though not troubled by moral scruples, did not lie out of mere exuberance of mendacity, but artistically, with an eye to the effect " (*f*).

In such circumstances courts often disregarded the law governing the disputes or the charges in question, and acted on the impulse of the moment; and we can readily believe that in some cases many of the dicasts would have definitely made up their minds—their oath notwithstanding—after hearing one party who had known how to influence them. This is how—to give but one illustration—a complaining speaker addresses the peccant jury :

" For I hear, and suppose that most of you know, that calumny is most dangerous. This is best illustrated by the case of several people being prosecuted on the same charge. For in most cases those who are last tried escape, because your anger being appeased, you listen to them, and are then willing to accept argument and evidence. Consider then that Nicophemus and Aristophanes died untried, before any one heard them convicted before him of any crime. For no one even saw them after their arrest, nor were their bodies even given back to their friends for burial, but so great a calamity fell upon them, that in addition to all the rest, they were deprived even of this " (*g*).

Hence, too, appeals *ad misericordiam* were invariably made by a defendant who realised that the case was going against him ; the forensic orations are full of these lachrymose prayers, and the judges, to be sure, became accustomed to look forward to them. Few, indeed, were the pleaders who adopted the noble attitude of

(*f*) W. Wyse, *The Speeches of Isaeus* (Cambridge, 1904), p. 483.
(*g*) Lysias, *De bonis Aristoph.* xix. 143 ; cited by J. P. Mahaffy, *Social Life in Greece from Homer to Menander* (London, 1877), p. 397.

Socrates who, reasoning calmly with them in the face of death, refused to beg in a humiliating and obsequious manner for what he conscientiously considered to be his due (*h*).

Such methods were bound to beget uncertainty in the application of the law ; and this uncertainty together with various other disadvantages inherent in the setting up of popular assemblies as courts of law brought about one of the greatest curses of Athenian public and social life—a horde of " sycophants " who blackmailed such citizens as were indisposed to go before a tribunal whose vagaries and precarious temper were notorious.

Aristophanes saw in the heliastic institution a perversion of democracy. In his *Wasps* (produced 422 B.C., the year following the production of the *Clouds*) he made an onslaught on what he considered to be an unholy alliance between the demagogues and the dicasts : for the dicasts, flattered and treated condescendingly by the demagogues, were their chief support in the popular assemblies.

" I do not believe," says an able and life-long student of Aristophanes, " that the play was in any sense aimed at, or that the mind of Aristophanes was in any measure alive to, the manifold defects of the dicastic system. . . . In truth the young poet, when he wrote the *Wasps*, was thinking of something altogether different from an attack upon dicasts and dicasteries. He was regarding the dicasts, not as a legal tribunal to be criticised, but as a political power to be conciliated " (*i*). Aristophanes endeavoured to bring about his object " by showing that while the demagogues affected to flatter and patronise the dicastic system, they in reality reserved to themselves all the substantial benefits and fruits of the alliance, and left the dicasts to pine and starve in a state of abject and degraded poverty " (*k*).

The poet certainly does not discuss the heliastic system and is not, in the main, concerned to expose its many serious defects. All the more impressive and convincing to a reader, therefore, is the incidental representation of the unconscionable and arbitrary courts of law, as well as of the incompetence of the general run of citizens for wielding judicial power over the lives and property of their fellows (*l*). We have already seen that Aristophanes' picture of Socrates is a misrepresentation which renders the object of

(*h*) As to Socrates' bearing and attitude in court, see chap. xiii., *in init.*, and chap. xv., sect. ii.
(*i*) B. B. Rogers, *The Wasps of Aristophanes* (London, 1915), pp. xvi., xvii.
(*k*) *Ibid.*, p. xviii.
(*l*) Cf. W. W. Merry, *Aristophanes—the Wasps* (Oxford, 1893), Introduction.

the satire almost unrecognisable, for Aristophanes did not at all understand the philosopher. But the comic dramatist was certainly not incapable of understanding the ordinary Athenian citizen—judges whom he saw every day flocking in crowds to the courts ; and we may therefore safely say that his portrait of them approximates fairly closely to the truth, however much we may allow for the inevitable exaggeration of satire (*m*).

In Philocleon (the very name is significant) (*n*), Aristophanes portrays the rough uncultured citizen as the egregious, bigoted, and irresponsible dicast whose thought of sitting in the law courts is an intoxicating obsession to him :

> " I'll tell you the disease old master has.
> He is a law court lover, no man like him.
> Judging is what he dotes on, and he weeps
> Unless he sits on the front bench of all.
> At night he gets no sleep, no, not one grain,
> Or if he doze the tiniest speck, his soul
> Flutters in dreams around the water-clock.
> So used is he to holding votes, he wakes
> With thumb and first two fingers closed, as one
> That offers incense on a new moon's day.
> If on a gate is written *Lovely Demus*,
> Meaning the son of Pyrilamp, he goes
> And writes beside it *Lovely Verdict—box*." (*o*).

Puffed up by his self-importance, he takes his seat on the judicial bench, delights in the servile adulation, entreaties, and veiled promises of those (especially the high officers of State) who are brought before him, and then, when his high and mighty functions have been performed for the day, hurries off to the pay-clerk for his three obols.

The proceedings in court are depicted as undignified and turbulent, and the shouts of the judges terrify even the great and the wealthy. As Philocleon says :

> " For when we are raging loud and high
> In stormy, tumultuous din,
> O Lord ! O Zeus ! say the passers-by,
> How thunders the Court within !
> The wealthy and great, when my lightnings glare,
> Turn pale and sick, and mutter a prayer." (*p*).

(*m*) See Schömann, *op. cit.*, vol. i. p. 491; Mahaffy, *op. cit.*, p. 398: "I do not consider the poet Aristophanes as a critic of any historical value, and all inferences from his broad farces must be received with the greatest caution and suspicion; but if he has anywhere criticised fairly and to the point, it is probably in the *Wasps* where he pulls to pieces the jury system."

(*n*) " Friend of Cleon "—Cleon representing the spirit of strife and litigation, as he stands for most other evils in the view of the poet.

(*o*) Trans., Rogers, ll. 88 *seq.*

(*p*) *Ibid.*, 622 *seq.*

Nevertheless, he has his pebbles ready for voting (*q*), and, what is more, he usually votes for condemnation.

> " So sour he is, the long condemning line
> He marks for all, then homeward like a bee
> Laden with wax beneath his finger-nails.
> Lest he lack votes, he keeps, to judge withal,
> A private pebble-beach secure within.
> Such is his frenzy, and the more you chide him
> The more he judges . . ." (*r*).

Such a picture would naturally suggest that the dicastic system was altogether hopeless. But it was not as bad as that; though its shortcomings were numerous, there is no doubt that many of the decisions arrived at by these popular judges were quite sound under the Athenian rules of law and principles of equity. There is little convincing evidence to show that they were frequently corrupt, intimidated, or dishonest (*s*). There were faults enough without imputing such things to them.

In conclusion, we may add that a writer, who had a wide knowledge of ancient Greece as well as of modern Ireland, compared the Athenian dicasts to the Irish juries of the 'seventies.

" I cannot but hazard the conjecture," he says, " that the Athenian juries, with their native shrewdness and intelligence, their great impulsiveness, their tendency to override strict law, and their facility of being gained over by clever speaking though beside the point, were more like the Irish juries of the present day than any other parallel which can be found. They had the same merits and the same defects, and were there not a controlling judge in the Irish Law Courts, the decisions would often be as irrelevant as those of the Athenian people " (*t*).

But we may confidently add that, in the case of Socrates, an Irish jury would have admired his delightful irony (misinterpreted by so many dull people), they would have sympathised with his cross-examination (especially of the powers that be) which was carried on with such persistence as to amount to pugnacity (disliked by so many others), and they would have revelled in those ideas and sentiments of his that were directed " agin the government ": they would therefore have returned a verdict of not guilty, and so would have acquitted themselves handsomely, fairly, and—certainly on this occasion—without committing perjury.

(*q*) As to the methods of voting in the courts, see the next chapter, *in fin.*
(*r*) *Ibid.*, ll. 106 *seq.*
(*s*) Wyse, *loc. cit.*, p. 476.
(*t*) Mahaffy, *op. cit.*, p. 401. For other defects of the Athenian legal system, see *infra*, pp. 252 *seq.*

PROCEDURE BEFORE AND AT TRIAL

(i.) *Procedure before Trial*

Mens et animus et consilium et sententia civitatis posita est in legibus. Ut corpora nostra sine mente, sic civitas sine lege, suis partibus, ut nervis et sanguine et membris, uti non potest. (Cicero.)

(The mind and the soul, the judgment and the purpose of a State are centred in its laws. As a body without mind, so a State without law can make no use of its organs, whether sinews, blood or limbs.)

In order to bring an ordinary criminal charge before the courts, the accuser first of all put his accusation in writing, took it to the office of the King Archon and laid it, together with the name, description, and address of the accused, before a magistrate. The archon or one of the thesmothetae then examined the charge in order to determine whether there was sufficient *prima facie* ground alleged in it to support it. If he came to the conclusion that it was a trifling matter which was not worth investigating before a court of justice, or that the alleged misconduct did not amount to a violation of law, he stopped further proceedings. But if the accuser thought that this summary rejection of his plaint amounted to a denial of justice, he no doubt had a right of appeal, though to which authority is not clear: in any case the matter could be raised in the Council or the Assembly of the People, and the magistrates might be instructed to deal with the charge. However, if the magistrate in the first place discovered adequate ground for the complaint, he allowed the accuser to proceed with it in the ordinary way; and he fixed a date—perhaps within five days—for the appearance of both parties in a preliminary investigation. It is probable that throughout this preliminary investigation the magistrate was advised on points of law by legal advisers (*συνήγοροι*).

The next step, therefore, was the formal citation (*a*). It seems to have been the accuser's duty to summon the accused in the first place (*προσκαλεῖσθαι*, or *καλεῖσθαι*). Having found him in some public place or called upon him at his residence, he informed

(*a*) For this part of the subject see Lipsius-Meier-Schömann, *Das attische Recht*, etc., pp. 804 *seq.*

him of the summons (*πρόσκλησις*), in the presence of two witnesses or "summoners" (*κλητῆρες* or *κλήτορες*), requiring him to present himself at the appointed date before the magistrate (*b*). Meletus would have had no difficulty whatever in finding Socrates in one of his favoured haunts, the Lyceum or the market-place.

If on the day fixed the defendant in a civil suit did not enter an appearance, he suffered judgment by default (*ἐρήμην ὀφλισκάνειν*), which, however, might afterwards be struck out in the event of his successfully prosecuting the plaintiff or witnesses for a false citation (*γραφὴ ψευδοκλητείας*). In a criminal charge the defendant might be brought by force under an order from the magistrate (corresponding to our warrant for arrest).

Where both parties appeared, the defendant was called upon to answer the charge; then, in the light of this information, the magistrate might dismiss the plaint (*λῆξις*, *ἔγκλημα*, sometimes *γραφή* simply). Such a course could be adopted only in exceptional circumstances, for example, when the charge as explained by the summoned party was obviously frivolous or ridiculous; for it was the fundamental right of a plaintiff or accuser to bring his case before the dicasts on fulfilling the necessary conditions as to payment of fees and the giving of security.

But if the plaint revealed sufficient cause (that is, if a "true bill" was found), the complainant had to pay certain court fees—a nominal sum in some cases (*παράστασις*), a larger sum in more important cases (*πρυταν*εῖα) (though not payable in prosecutions before the Areopagus)—whilst the defendant had to pay nothing. Then a day was fixed for the preliminary hearing (*ἀνάκρισις*); and in the meantime the charge was written out, either *in extenso* or in an abridged form, on a white tablet (*σανίς*, *λεύκωμα*) and posted up as a public notice in or near the magistrate's office, and probably also within the precincts of one of the great or central courts, in order that any person interested or concerned in the matter might be duly notified thereof.

At the preliminary hearing (*c*) (and Plato represents (*d*) Socrates as having attended at the King Archon's office in regard to the criminal charge laid against him by Meletus) the complainant or defendant might state that he was not ready with his case, so that

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(*b*) In Aristophanes (*Clouds*, 1246; *Wasps*, 1408) one summoner is mentioned; in the orators two is the usual number, Dem., *c. Nicostr.* 14, p. 1251; *de Coron.* 55, p. 244.

(*c*) The proceedings at this stage appear to have resembled more the French "instruction" than those before the magistrate under our system.

(*d*) *Euthyph.* 2 a.

a short adjournment (*ὑπωμοσία*) would be made. If no adjournment was made, or at the adjourned hearing (as the case might be) both parties swore to the truth of their respective statements, which, together with their oaths, were put in writing (*ἀντωμοσίαι, διωμοσίαι*) (*e*); that is, there was an "interchange" of oaths—administered by the parties themselves and not by the magistrate—and "interchange" of declarations or pleadings. The accuser also swore that he would not receive any gift that might be offered to induce him to abandon his accusation or to prosecute it feebly; and the accused swore that he would defend himself faithfully, and that he would not resort to calumnious recriminations. At this stage there were no arguments on either side, but the declarations of the parties had to be supported by their evidence which, in the fourth century, had to be presented in writing (*f*). This evidence might be either the depositions of witnesses confirmed by them personally, or, in the case of unavoidable absence of witnesses, their attested affidavits, which were set out on a whitened tablet (*λελευκωμένον γραμματεῖον*). No evidence was admissible at the trial, unless it had been produced at the preliminary hearing and duly filed. The parties could also submit in writing the provisions of the law on which they relied.

This was the normal course of the procedure, that is to say, if the accused admitted that the proceedings were formally correct (*εὐθυδικία*) (*g*). But he might demur, and plead special exceptions (called *παραγραφή* and *διαμαρτυρία*), that is, show that the magistrate had no jurisdiction, or that the prosecution was not legitimate or regular (*h*) (for example, that the alleged offence was committed more than fifteen years before); and if he established his contention he might be acquitted by the magistrate alone (*i*). But if his contention was not established, the magistrate took all the documentary records (*γραφαί*), sealed them up in a special box kept for the purpose—the so-called "hedgehog" (*ἐχῖνος*)—and prepared the case for trial (*k*). The prosecutor gave security that he would appear at the trial; and if he failed to do

(*e*) Pollux, viii. 55.
(*f*) Demosth., *c. Steph.* i. 44, p. 1115; ii. 6, p. 1130. Cf. Leisi, *Der Zeuge im attischen Recht* (Frauenfeld, 1908), pp. 85 *seq.*; R. J. Bonner, *Evidence in Athenian Courts* (University of Chicago, 1905), pp. 46 *seq.*
(*g*) Demosth., *c. Phorm.* 4, p. 908; *c. Steph.* i. 6, p. 1103.
(*h*) Lysias, *c. Pancl.* 5; Pollux, viii. 57.
(*i*) See Gilbert, *op. cit.*, pp. 407–408, and the references there cited.
(*k*) Demosth., *c. Conon.* 27, p. 1265; *c. Aphob.* i. 1, p. 836; *c. Boeot. de Nom.* 17, p. 999.

so, he was liable to a fine, and incurred also such a diminution of the rights of citizenship (ἀτιμία) as prevented him from bringing a similar public action in the future.

The case was then set down in the cause-lists (αἱ σανίδες), and awaited its turn. Eventually the actual date (κυρία τοῦ νόμου) (*l*), if not determined by existing law, was fixed by the magistrate who had conducted the preliminary hearing in consultation with the thesmothetae (frequently within thirty days (*m*) from the date of the information), and the particular court for trying the case was indicated. It was usually one of the dicasteries, the Areopagus being reserved for cases of murder. Therefore, in a case of impiety—that of Socrates—it would be a court of dicasts.

(ii.) *Procedure at Trial*

The magistrate who had conducted the preliminary investigation presided also at the trial (*n*). His functions were—contrary to what we might reasonably expect—purely ministerial; he was responsible only for the orderly conduct of the proceedings and for the general supervision of the dicastery in session (ἡγεμονία δικαστηρίου), and he had the control of the clerks, heralds, police (public slaves), and other officers employed in the court. We can well imagine that very frequently he lost control over the large and excitable assembly. We find, for example, that Socrates, interrupted by the clamours of the dicasts, did not appeal to the president to maintain order and secure him an undisturbed hearing, but to the dicasts themselves (*o*). The presiding magistrate had no voice in the decision, not even a casting vote in the event of an equality of votes given by the judges. Theoretically, equality of votes was supposed to be obviated by the rule that there had to be an odd number of judges present, as has already been explained (*p*); but, in fact, equality was not always prevented, and provision was made for such an eventuality, as we shall see presently.

The sittings of the courts were nearly always public; an exception might arise, for instance, in cases relating to the religious mysteries. The judges sat on wooden benches (which were sometimes covered with matting) in a reserved enclosure, which they

(*l*) Demosth., *c. Mid.* 84, p. 541; 93, p. 544.
(*m*) Demosth., *c. Mid.* 47, p. 529; *c. Timocr.* 63, p. 720; *c. Phaenipp.* 13, p. 1042.
(*n*) Aristotle refers to the president of the court as ὁ θεσμοθέτης (*Constitution of Athens*, 64. 1), or ὁ ἄρχων (64. 3), or ὁ ἄρχων ὁ ἐφεστηκώς (64. 4).
(*o*) Plato, *Apol.* 21 a, 27 a, 30 a.
(*p*) See the preceding chapter, p. 236.

entered by a trellised door or wicket (κιγχλίς) (*q*); and they were separated from the public audience (*r*) by barriers or railings (δρύφακτοι) (*s*). We find in the orators frequent allusions to this boundary, and also references to two classes of auditors—the Athenian citizens sitting as judges, and those sitting outside the barriers (οἱ ἔξω, οἱ ἔξωθεν περιέστηκότες) (*t*); Socrates in his speech is also made to refer to the public audience (ἀκροαταί) (*u*).

It would seem that there were sometimes four platforms (βῆμα) —one to the right for the president, another near him reserved as a tribune for each of the parties when he rose to present his case, and two other platforms to the left for the parties and their witnesses. According to other indications, the parties addressed the court from their respective platforms, so that here there were three platforms in all.

The judges having assembled, and the gods having been invoked (*x*), the president announced the case to be tried and formally told the judges that they were the court specially constituted to adjudicate on it. He then called on the parties to come forward and take the places assigned to them. If a party failed to appear, judgment by default was entered against him and a fine also was imposed on him, unless a satisfactory ground for his absence (ὑπωμοσία)—for example, illness—was submitted and sworn to by his representative, who came to move for an adjournment. The other party, however, could under oath on his part (ἀνθυπωμοσία) deny the facts alleged and oppose the motion; and the judges, after hearing arguments and evidence, decided whether the application should be allowed. Of course, in the case of a prosecution of a dangerous criminal, judgment by default could scarcely arise; for he would have been arrested and kept in custody as soon as possible after the information was laid against him.

If, then, both parties were present, they took an oath in a criminal trial that they would speak the truth, and called imprecations on themselves and their families if they perjured themselves. Then the "hedgehog" box was unsealed, and all the

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(*q*) Cf. Aristoph., *Wasps*, 775.

(*r*) For mention of audiences, see Lysias, *c. Eratosth.* xii. 35, p. 123; Aeschin., *c. Timarch.* i. 117, p. 16: "I see many young men present in court, and many of their elders, and not a few citizens of other states of Hellas, gathered here to listen"; *De Legat.* ii. 5, p. 28; *c. Ctesiph.* iii. 56, p. 61.

(*s*) *Wasps*, 830; Pollux, viii. 17.

(*t*) Demosth., *De Coron.* 196, p. 293; Aeschin., *c. Ctesiph.* 56, 207.

(*u*) *Apol.* 24 e.

(*x*) Cf. Aristoph. *Wasps*, 860 *seq.*

documents appertaining to the case were produced. The clerk of the court (γραφεύς), or a herald, read out aloud the indictment (which contained also the penalty demanded by the prosecutor), and the reply of the defendant; after this conclusion of the preliminary proceedings (*y*) the parties were called upon to address the court. This was the "opening of the case" (εἰσαγωγὴ τῆς δίκης) by the magistrate (hence called for this purpose εἰσαγωγεύς).

The accuser, thereupon, stepped forward, and from his tribune stated his case. This was his one and only speech; for apparently he had not the right to reply (*z*). The length of his speech, as well as that of the defendant, was limited (*a*) by the water-clock or clepsydra (κλεψύδρα, sometimes called simply the "water," τὸ ὕδωρ (*b*)), which was regulated by an official (ὁ ἐφ' ὕδωρ); and the flow of its water was suspended (ἐπιλαβεῖν τὸ ὕδωρ) only when it was necessary to recite a text of the law, a special decree of the people, the deposition of a witness, or to call up a witness to confirm his written testimony (*c*). These restrictions were due to the fact that the case had to be concluded on the same day; the reason for this rule was that, on the one hand, there was so much legal business on hand that it could not have been got through otherwise, and, on the other hand, that it was essential to avoid intimidating, corrupting, or influencing in any other way, the judges who, being in such enormous numbers, could not very well have been locked up overnight. And so in one short day the life and fortunes of the greatest and noblest citizen might be disposed of; whatever elaborate defence he had prepared, whatever detailed evidence he had proposed to submit, all had to be squeezed into a very small compass which, many important and illuminating particulars having necessarily been omitted therefrom, could not carry as great conviction as a defence fully set out without undue hurry. Moreover, the defendant might be severely handicapped in another way: for there might be—as in the case of Socrates—two or more joint prosecutors, or a prosecutor proper (κατήγορος), together with his "auxiliaries" or "supporters" (συνήγοροι), each making his own particular contribution to the accusation. As it was not always possible to draw a sharp line of demarcation between these accusations, it follows that the

(*y*) Cf. Lipsius-Meier-Schömann, *op. cit.*, p. 919.
(*z*) In private suits two speeches were allowed on each side.
(*a*) Except in certain privileged cases (δίκαι χωρὶς ὕδατος).
(*b*) Demosth., *De Coron.* 139, p. 274; c. *Leoch.* 45, p. 1094; Aeschin., c. *Ctesiph.* 197.
(*c*) Demosth., c. *Eubul.* 21, p. 1305; Lys., c. *Pancl.* 4, 8, 11, 14, 15.

joint prosecution would be entitled to make more than one speech, each dwelling too, though more or less unobtrusively, on certain points of the other or others, and so seeming to corroborate them ; accordingly, the judges would be deeply impressed by the prosecution, and the defence, having only one short speech, would find it difficult to remove such impression. (It appears, however, from some recorded cases that the time allotted to the statement of the case for the prosecution was simply divided between the prosecutor himself and his " supporter " or " supporters.")

As under the law, which purported to express the spirit of democratic equality, every litigant was entitled to plead his own cause before the popular court (excepting those who were debarred from the privilege of speaking there, for example, metics, minors, and women), and as there was a presumption that every citizen was able to do so, the parties were therefore required to conduct their own cases in court without the aid of advocates (*d*). But this principle was to a large extent circumvented by the use of speeches composed specially for the parties by professional " logographers " (λογογράφοι, λογοποιοὶ)—most of whom were more rhetoricians than lawyers—who would, for a fee of course, thus put at the disposal of ignorant or nervous litigants what legal learning they had, together with their eloquence and their knowledge of the best methods of handling and influencing a large assembly, of conciliating it (if need be) and appealing to its passions and prejudices (*e*). Isocrates states that in his time (that is, during the generation following the death of Socrates) there was a considerable number of logographers (*f*) ; and many of them made large incomes, though their profession was regarded with little respect by most of the enlightened Athenians (*g*). Lysias, who was thus frequently employed by litigants, was said to have offered a speech to Socrates, who refused it (*h*).

Furthermore, a nervous litigant, who was slow of utterance or was afraid of breaking down, might after briefly introducing his case get leave of the court to call an " auxiliary " " supporter " (συνήγορος)—a friend or a relation—to deliver the substantial part of the speech (*i*). And when a " supporter " thus came forward,

(*d*) Cf. Quint., *Inst.* ii. 15, 30. See A. E. Egger, *Mémoires de littérature* (Paris, 1863), pp. 355–388 ; V. Cucheval, *Étude sur les tribunaux Athéniens* (Paris, 1863).
(*e*) Cf. O. Navarre, in Daremberg-Saglio, *op. cit.*, vol. iii., pt. 2, p. 1300.
(*f*) *Antidos.* 41.
(*g*) Cf. Plato, *Phaedr.* 257 c ; Demosth., *De Fals. Leg.* 417, 420.
(*h*) See the following chapter, p. 262.
(*i*) Aeschin., *c. Ctesiph.* 202 ; Demosth., *c. Neaer.* 14, p. 1349 ; *c. Phorm.* 52, p. 922 ; Hyper., *Pro Eux.* 25 *seq.* ; *Pro Lycophr.* 8 *seq.*

he first of all assured the judges that he appeared purely and simply out of personal friendship for the party who called him, or, indeed, through hostility to the other party, or that he had a stake in the matter at issue (*k*), and that he gave his assistance gratuitously (*l*). There was nothing, of course, to prevent him, any more than the party himself, from delivering a speech that had been prepared by a speech-writer. Thus in the attempt to simplify legal pleading and procedure on the ostensible basis of an uncompromising democratic equality, the complications of "wheels within wheels" resulted; and the poor would, after all, be handicapped more than ever as against the rich. Be this as it may, the use of these "supporters," who were always suspected as being, or as partaking of the nature of, "sycophants" (*m*) (who, in this case, resembled those who participate, under our law, in maintenance and champerty), never spread as extensively as the employment of logographers.

Though the dicastic assembly sat in a judicial capacity, when a spirit of impartiality and fairplay was supposed to prevail conformably to the solemn oaths taken, many of its members might at any moment interrupt the speeches of the parties or the evidence of witnesses by loud expressions of feeling (*θόρυβος*)—either clamours of hostility, or, it may be, shouts of applause signifying approval of this or that statement, much to the mortification or elation of the parties, as the case might be. Hence the ingratiating tact of a speaker was very frequently a more valuable asset than truthfulness, when he had to confront the capricious temper of a huge animated crowd of dicasts, and the established prepossessions of many of its members. They were, too, disposed to answer speakers who appealed to them, who called their special attention to certain matters within their knowledge, or who put rhetorical questions to them (*n*). Sometimes they stopped a speaker to ask him a question (*o*)—a perfectly legitimate intervention, of course, on the part of judges. Sometimes the proceedings became stormy and tumultuous (*p*), as in a disturbed political gathering.

(*k*) See the opening of the speeches of Demosth., *c. Lept.*; *c. Androt*; Isocr., *c. Euthyn.*

(*l*) If he took fees he was liable to an action (*γραφή*); Demosth., *c. Steph.*, ii. 26, p. 1137.

(*m*) See *supra*, p. 244.

(*n*) Cf. Aeschin., *c. Ctesiph.* iii. 202, p. 82; Andocid., *De Myster.* 33: *δέομαι ὑμῶν αὐτὸ φανερὸν τοῖς Ἕλλησι πᾶσι ποιῆσαι. . . .*

(*o*) Andocid., *De Myster.* 70.

(*p*) Cf. Aristoph., *Wasps*, 622 *seq.*, to which reference has already been made, *supra*, p. 245.

Evidence was by the fourth century—not necessarily in the time of Socrates (*q*)—presented in the form of written depositions (μαρτυρία) that had already been submitted at the preliminary inquiry before the magistrate; and, as a general rule, this evidence was accepted only when the witness himself came to confirm it, unless he was unavoidably absent—in which case other persons might be called to prove the genuine authorship of either his previous or his subsequent deposition (ἐκμαρτυρία) (*r*). Therefore, when a witness was called upon, he came forward, his previously written evidence was taken from the box, read out aloud (sometimes he read it himself), and he merely vouched for it, without, apparently, being examined or cross-examined on it. The statements in the depositions could not be withdrawn, supplemented, or modified in any other way by the attesting witness.

A witness was compelled to attend to signify his assent to his written evidence; if he failed to do so without sufficient cause he was liable to be prosecuted (δίκη λιπομαρτυρίου). Witnesses could also be summoned, under pain of a heavy fine (1,000 drachmae), to give their testimony at the magisterial investigation.

It might happen that during the actual trial a party found it essential to call certain witnesses to give evidence on points that had arisen unexpectedly. In such a case, no doubt, their oral testimony would at all times be admitted.

Neither party was permitted to "go into the witness-box" in support of his own case; but each was liable to be cross-examined by the other (*s*), as well as to answer questions put by any of the judges for the purpose of eliciting further information on any point, or of showing a self-contradiction on his part; and the judges might also intervene, when their judicial sense was sharp enough, if irrelevant matter was introduced (*t*).

Hearsay evidence (ἀκοὴν μαρτυρεῖν)—evidence not as to facts of which the witness had personal knowledge, but only as to facts learnt from the mouth of ocular witnesses—was only admissible when the ocular witness himself was deceased, out of the country, or absent through illness (*u*), and it might also be introduced to prove ancient facts.

But these principles of evidence were not always observed in

(*q*) Cf. *Apol.* 34 a, where oral evidence is probably implied.
(*r*) Demosth., *c. Stephan.* i. 9, p. 1131 (where the law is cited); *c. Stephan.* ii. 8.
(*s*) Cf. Demosth., *c. Stephan.* ii. 10, p. 1131.
(*t*) Demosth., *c. Spud.* 17, p. 1033; *c. Stephan.* i. 87–88, p. 1128.
(*u*) Demosth., *c. Stephan.* ii. 7–8, p. 1131, where a law was read out as follows: Ἀκοὴν εἶναι παρτυρεῖν τεθνεῶτος, ἐκμαρτυρίαν δὲ ὑπερορίου καὶ ἀδυνάτου.

practice, for there was no competent authority invested with the power of insisting on their application. Irrelevant testimony was frequently admitted, even though it was of the most defamatory kind, and undue weight was attached to it (*x*). Evidence of general bad character was allowed, even before the accused person was found guilty; and many of the dicasts did not hesitate to jump to the conclusion that a man who was said to have committed some reprehensible act years before must also have done what he was charged with in the case before them. Hearsay evidence too was received. Thus in one case Euxitheus, the speaker, appealing against deprivation of the rights of citizenship, urged upon the "gentlemen of the jury" that it was clearly the obligation of his adversary, the accuser, to bring forward first-hand evidence, and not hearsay; and that to allow him to produce hearsay evidence was contrary to the law and the height of injustice (*y*). Witnesses were permitted to be brought to prove previous decisions of some court or other (*z*); the absence of an authoritative official record was all the more irregular, inasmuch as there were State archives in the charge of a public officer (γραμματεύς).

Such serious irregularities, added to the fact that statements of witnesses were accepted without their being tested by cross-examination, were bound to perplex the dicasts, put them at cross-purposes with one another, and so stultify their decisions and bring about a miscarriage of justice (*a*). We have already seen in the previous chapter how liable an Athenian court was to fall into a passion: not only would such irritability produce a prejudice against the object of its anger, but would actually at times cause also many of the judges to override altogether the protective provisions of the law of evidence, fragmentary and inadequate as it was. There are in the orators various illustrations, of which the following from Isocrates will perhaps suffice here.

"... I think you know well that the city has often repented so bitterly ere this for decisions made in passion and without evidence, as to desire after no long interval to punish those who misled it, and to wish those who had been calumniated were more than restored to their former prosperity. Keeping these facts before

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(*x*) Lysias, *c. Simon., in fin.*; *c. Eratosth.* 124 (403 B.C.).

(*y*) Demosth., *c. Eubul.* 4, p. 1300: ὅσ' ἴσασιν ἀκριβῶς λέγειν καὶ μηδεμίαν προσάγειν ἀκοὴν πρὸς τὸν τοιοῦτον ἀγῶνα. οὕτω γὰρ τοῦτ' ἄδικον καὶ σφόδρα πάλαι κέκριται, ὥστε οὐδὲ μαρτυρεῖν ἀκοὴν ἐσυιν οἱ νόμοι, οὐδ' ἐπὶ τοῖς πάνυ φαύλοις ἐγκλημασιν, εἰκότως.

(*z*) Demosth., *c. Midiam*, 82, p. 541.

(*a*) Cf. Demosth., *c. Stephan.* i. 1–2, p. 1181.

you, you ought not to be hasty in believing the prosecutors, nor to hear the defendants with interruption and ill temper. For it is a shame to have the character of being the gentlest and most humane of the Greeks in other respects, and yet to act contrary to this reputation in the trials which take place here. It is a shame that in other cities, when a human life is at stake, a considerable majority of votes is required for conviction, but that among you those in danger do not even get an equal chance with their false accusers. You swear indeed once each year that you will attend to both plaintiff and defendant, but in the interval only keep your oath so far as to accept whatever the accusers say, but you sometimes will not let those who are trying to refute them utter even a single word. You think those cities uninhabitable, in which citizens are executed without trial, and forget that those who do not give both sides a fair hearing are doing the very same thing" (*b*).

After the parties had been heard and the evidence of their witnesses produced, the herald, on instructions from the president, requested the judges to begin their decision (*ψηφίζεσθαι, ψῆφον φέρειν* or *τιθέσθαι*) (*c*), and they proceeded to do so without holding any consultation among themselves. In order to ensure the secrecy of the votes an elaborate method was employed; it differed more or less in the time of Aristotle from that in use in the preceding century. In the earlier period (*d*) each judge openly received a ballot (*ψῆφος*) in the form of a shell (*χοιρίνα*) (*e*)—at first a real sea-shell, later a metal imitation—which he had to place in one of two receptacles (*καδίσκοι, κάδοι*) arranged one behind the other and hence distinguished as the "nearer" receptacle and the "farther" one (*ὁ πρότερος* and *ὁ ὕστερος*). To cast the shell into the nearer receptacle (*καδίσκος ἀπολύων*) signified condemnation, to put it into the farther one (*καδίσκος ἀπολλύς*) signified acquittal (*f*). These relative positions of the urns were

(*b*) Isocrat., *De Permutat.* xv., p. 314 (cited Mahaffy, *op. cit.*, p. 396).

(*c*) Thuc. iv. 74; Xen., *Symp.* 5, 8.

(*d*) See G. F. Schömann, *De Judiciorum Suffragiis Occultis*, in *Opuscula Academica*, 3 vols. (Berlin, 1856–58), vol. i., p. 267; Smith, *Dictionary of Greek and Roman Antiquities* (London, 1891), vol. ii., p. 516; R. Scott, *The Athenian Ballot and Secret Suffrage* (Oxford, 1838).

(*e*) Aristoph., *Wasps*, 333, 349; *Knights*, 1331. Sometimes beans (*φρυκτοί*) were used, at other times black and white pebbles, black for condemnation, white for acquittal (Plut., *Alcib.* 22). Cf. Pollux, viii. 16 *seq.*, 123.

(*f*) Aristoph., *Wasps*, 987 *seq.* Phrynichus, in his comedy *The Muses*, which competed unsuccessfully with Aristophanes' *Frogs* (405 B.C.), also refers to the urn of acquittal and to the urn of condemnation:

> Ἰδού, δέχου τὴν ψῆφον· ὁ καδίσκος δέ σοι
> ὁ μὲν ἀπολύων οὗτος· ὁ δ' ἀπολλύς ὁδί.

Cf. Lycurg., c. *Leocrat.*, *in fin.*; Harpocration, *s.v.* *καδίσκος*; Rogers, *The Wasps of Aristophanes*, p. 148, note.

not always maintained, and the jurors were always clearly informed which urn stood for acquittal (or for the defendant), and which for condemnation (or for the accuser). Thus in the trial of the generals after the battle of Arginusae (406 B.C.), those who found them guilty were instructed to cast their votes into the urn in front (the first or the nearer), and those who found them not guilty were instructed to cast theirs into the urn behind (the second or the farther) (*g*). After all the judges had voted the ballots of each vessel were deposited on a stone slab (*h*) and counted, in order to discover the majority of votes and consequently the verdict. It is not clear how this method of voting preserved secrecy. However, we are told that the tyrannical Thirty, determined to secure the condemnation of those they desired to put out of the way, prevented the voters from secretly depositing their ballots into the customary urns and set two tables before them on which the votes were openly placed, on one table for acquittal and on the other for condemnation (*i*).

In the time of Aristotle (*k*) another method was already in existence, though probably the older method was also used sometimes. Every judge received two bronze discs with a cylindrical axle (*αὐλίσκος*) running through the centre and projecting on both sides. On one side of the disc there was generally the inscription *ψῆφος δημοσία* (public ballot), on the other a letter indicating one of the ten dicasteries. One of these discs (*ἡ τετρυπημένη ψῆφος*) which had a pierced or hollow axle was to be used for a vote of condemnation; the other one (*ἡ πλήρης ψῆφος*) which had an unpierced or solid axle was to be used for a vote of acquittal (*l*).

On a platform were placed two urns (*ἀμφορεῖς*), one of bronze the other of wood, for receiving the votes. Before the judges began to vote the herald usually called upon the parties to declare whether they intended to prosecute any witness for giving false evidence (*δίκη ψευδομαρτυριῶν*), for such a declaration might suspend and eventually, if the prosecution was successful, avoid the judgment. Where no such declaration was made, the herald bid the judges come forward to the platform one at a time to deposit their votes, reminding them that the disc with the hollow

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(*g*) Xen., *Hellen.* i. 7. 9.
(*h*) *Wasps*, 332–333, 752–754.
(*i*) Lysias, *c. Agor.* 37, p. 133.
(*k*) See *Constitution of Athens*, 64 *seq.*
(*l*) Cf. Aeschin., *c. Timarch.* 79 (delivered 345 B.C.): "Τῶν ψήφων ἡ τετρυπημένη, ὅτῳ δοκεῖ πεπορνεῦσθαι Τίμαρχος, ἡ δὲ πλήρης, ὅτῳ μή." Cf. *Corp. Inscrip. Att.* ii., No. 778.

axle was for the "first speaker," that is, for the complainant (namely, a vote of guilty), and that the disc with the solid axle was for the "second speaker," that is, for the defendant (namely, a vote of not guilty). In the bronze urn called the "decisive urn" (ὁ κύριος ἀμφορεὺς) the judge dropped through a narrow slit the disc (κυρία ψῆφος) indicating his decision; he held the disc in such a way that no one could see which one it was, and the slit was so narrow that he could not drop two at once. In the wooden urn with a wider opening, called the "inoperative urn" (ὁ ἄκρυος ἀμφορεὺς), he placed the waste disc: so that the number of discs in the latter urn served as a check on the number in the former.

Next the discs in the bronze urn were sorted out and counted by a number of tellers (οἱ λαχόντες ἐπὶ τὰς ψήφους) selected by lot from among the judges at the opening of the session; and a herald announced the number of votes for acquittal and the number for condemnation. In case of equality of votes, one disc (the ψῆφος Ἀθηνᾶς) was added or was supposed to be added to the number for acquittal in order to produce a majority in favour of the defendant, and so give him "the benefit of the doubt" (*m*). If the accuser had not received at least a fifth part of all the dicasts' votes (that is to say, for a verdict of guilty), he incurred a fine of a thousand drachmae (αἱ χίλιαι) and was also deprived of the right to institute similar prosecutions in the future.

If the majority vote was for condemnation the clerk of the court registered the judgment, and the herald, in order that there should be no mistake about the verdict, touched the condemned man with his staff. If there was a statutory penalty already provided for the offence (as, for example, death in the case of murder or high treason), that was the conclusion of the trial (*n*); and such a case was said to be one "without an assessed (or estimated) penalty" (ἀγὼν ἀτίμητος). Where no penalty for the said offence had already been prescribed by the law (as, for example, when it was not possible to define beforehand the various degrees of culpability), the prosecutor demanded in his indictment what he considered to be the merited penalty (τίμημα) chosen from among the various penalties sanctioned by the law generally; and such a case was said to be one "with an assessed (or estimated) penalty" (ἀγὼν τιμητός).

(*m*) Cf. Aeschin., *c. Ctesiph.* 252; Antiph., *De caed. Her.* 51. This principle is connected by Euripides with the trial of Orestes at the Areopagus (Aeschyl., *Eumen.* 735), when Athena gave the deciding vote (*Elect.* 1269; *Iph. Taur.* 1470 *seq.*).

(*n*) Cf. Dem., *c. Aristocr.* 167, p. 676 (trial of Cephisodotus, 359 B.C.).

In the latter event, the verdict of guilty did not in itself necessarily imply that the court accepted definitively the punishment proposed by the prosecutor. But as it was obviously impossible for every individual judge, in a very large body of judges, to suggest the punishment that he thought adequate, without creating controversy and even confusion, the condemned man himself was usually allowed to propose an alternative penalty (ἀντιτίμημα) (*o*). And here pitiful exhibitions were often witnessed, when the defendant and his family weeping aloud begged for mercy (παράκλησις). After the accuser had commented, either favourably or unfavourably, on the prisoner's suggestion, the judges proceeded to vote a second time (δεύτερα ψῆφος) either for the original proposal of the prosecutor or for the counter-proposal of the defendant (*p*). For this second ballot wax tablets (πινάκιον τιμητικόν) (*q*) were sometimes used (in the time of Aristophanes); each judge marked with his finger-nail a line thereon, a long line for the accuser's proposal, a short one for the prisoner's counter-proposal (*r*). As soon as the voting was completed, the condemned man was handed over to the officers of the Eleven.

(*o*) Cf. Demosth., *c. Nicostrat.* 18, p. 1252; *c. Timocrat.* 138, p. 743.
(*p*) Cf. Dem., *c. Aristocr.* 167, p. 676; 205, p. 688.
(*q*) Aristoph., *Wasps*, 167; Pollux, viii. 16. Cf. Aristot., *Pol.* ii. 8. 5.
(*r*) Gilbert, *op. cit.*, p. 410.

CHAPTER XIII

SOCRATES BEFORE THE COURT.—CASE FOR THE PROSECUTION GENERALLY

Τοῖς τοι δικαίοις χώ βραχὺς νικᾷ μέγαν.
(Sophocles.)
(In a righteous cause the weak overcomes the strong.)

Ποιήσομεν, κἂν ἀποθανεῖν ἡμᾶς δέῃ.
(Aristophanes.)
(We'll do it, though the penalty be death.)

Ἐγὼ δ' ἄκομψος εἰς ὄχλον δοῦναι λόγον,
εἰς ἡλικας δὲ κωλίγους σοφώτερος.
ἔχει δὲ μοῖραν καὶ τόδ' · οἱ γὰρ ἐν σοφοῖς
φαῦλοι παρ' ὄχλῳ μουσικώτεροι λέγειν.
(Euripides.)
(I have no skill to speak before a throng :
My tongue is loosed with equals, and those few.
And reason : they that are among the wise
Of none account, to mobs are eloquent.)

THE procedure described in the last chapter was no doubt followed in the case of Socrates. As soon as he received the summons to appear before the magistrate he proceeded to the King Archon's office. No warrant for his arrest was necessary, as he obeyed the order promptly. He could easily have escaped, had he been willing to do so (*a*). It is probable that his accusers, Meletus, Anytus, and Lycon, as well as other people who had heard of the accusation, expected that Socrates, being so fearless, independent, and disdainful of the mediocre officialdom, as well as of such men as his prosecutors were, would disregard the summons ; but their expectations were falsified. At the porch of the King Archon he met Euthyphro, the learned Athenian diviner and soothsayer who, strictly observing the dictates of piety, was just bringing—or has just laid—a charge of murder against his own father. Socrates informs the soothsayer that he, too, has been charged with impiety, and therefore seeks enlightenment from this high authority on what constitutes piety and impiety, in order that he may be able the more efficiently to defend himself (*b*). But Socrates, finding that this expert's notions on the subject are hazy

(*a*) *Crito*, 45 e.
(*b*) Plato, *Euthyph.* 2 a *seq.*

and confused, realises that he must consequently rely on his own resources for the purpose of his defence.

In the face of this serious accusation Socrates, however, did not in the least modify the tenor of his life. He was, indeed, prepared, then as always, to discuss the great questions that had so unremittingly engaged his attention throughout his life, rather than concern himself seriously about the preparation of his case. Xenophon, on the authority of Hermogenes—one of the " true companions " of Socrates (*c*)—mentions two reasons why Socrates remained indifferent to the accusation.

" He [Hermogenes] said that even after Meletus had drawn up his indictment he himself heard Socrates discussing every subject rather than his own case ; and having suggested that he ought to be thinking about his defence, Socrates answered : ' Do I not seem to you to have been preparing for it all my life ? ' And upon his asking ' How ? ' Socrates added that he had been constantly occupied in distinguishing between right and wrong, and in doing what was right and abstaining from what was wrong, which conduct he regarded as the best practice for his defence ; and when he (Hermogenes) said again : ' Do you not see Socrates, how the Athenian judges are apt to be influenced by argument, thus condemning innocent people to death, and acquitting the guilty ? ' Socrates replied, ' Believe me, Hermogenes, each time I have tried to turn my thoughts to the defence I am to make before the court, the divine voice has opposed me ' " (*d*).

Socrates is also said to have refused a speech offered to him by the esteemed and experienced logographer Lysias (*e*). He declined to adopt any methods, professional or customary, to which accused persons were wont to have recourse ; he maintained, conformably to his consistent attitude throughout his life, that anything other than the simple truth would be supererogatory and reprehensible ; and that eloquent displays and moving appeals would be entirely at variance with his own usual methods of exposition and search for truth. Accordingly, he preferred to leave the issue in the hands of God, with the confident conviction that even if he were eventually sentenced to death, that would be for the best. He is represented as saying to Hermogenes in his characteristic manner :

(*c*) Xen., *Mem.* i. 2. 48 ; ii. 10. 3 ; *Symp.* i. 3 ; iii. 14 ; iv. 47 *seq.* Cf. Plato, *Crat.* 384 a ; *Phaedo*, 59 b.

(*d*) Xen., *Mem.* iv. 8. 3 *seq.*

(*e*) Cf. Diog. Laert. ii. 5. 40 ; Cicero, *De Orat.* i. 54 ; Quintil. ii. 15. 30.

"Do you find it strange that to the Godhead it should appear better for me to close my life at once? Do you not know that up to the present moment there is no man whom I can admit to have spent a better or happier life than mine. Since theirs I regard as the best of lives who study best to become as good as may be, and theirs the happiest who have the liveliest sense of growth in goodness; and such, hitherto, is the happy fortune which I perceive to have fallen to my lot. To such conclusion I have come, not only in accidental intercourse with others, but by a strict comparison drawn between myself and others, and in this faith I continue to this day. . . . But, if I am destined to prolong my days, maybe I shall be enforced to pay in full the penalties of old age—to see and hear less keenly, to fail in intellectual force, and to leave school, as it were, more of a dunce than when I came, less learned and more forgetful,—in a word, I shall fall from my high estate, and daily grow worse in that wherein aforetime I excelled. But indeed, were it possible to remain unconscious of the change, the life left would scarcely be worth living; but given that there is a consciousness of the change, then must the existence left to live be found by comparison insipid, joyless, a death in life, devoid of life's charm. But indeed, if it is reserved for me to die unjustly, then on those who unjustly slay me lies the shame. But for me what disgrace is it that others should fail of a just decision and right acts concerning me? . . . I see before me a long line of predecessors on this road, and I mark the reputation also among posterity which they have left. I note how it varies according as they did or suffered wrong, and for myself I know that I too, although I die to-day, shall obtain from mankind a consideration far different from that which will be accorded to those who put me to death. I know that undying witness will be borne me to this effect, that I never at any time did wrong to any man, or made him a worse man, but ever tried to make those better who were with me" (*f*).

On the appointed day Socrates appeared before the heliastic court of 501 judges: that was the first time he had ever come before a court of law (*g*). We can imagine the excitement of the large assembly, the murmurs, the miscellaneous remarks passed among the judges, the solicitous trepidation of some, the scornful laughter of many, as the familiar figure of the accused, with rolling eyes and pelican-like gait, but with perfect composure and

(*f*) *Ibid.*, iv. 8. 6–10 (Dakyns' trans.).
(*g*) Plato, *Apol.* 17 e.

even with apparent unconcern, proceeded to the platform indicated by the herald, and took his place within full view of the president of the court—probably the King Archon himself—and of all the judges, and the large public audience that had already been admitted (*h*).

On an adjacent platform sat the three accusers, Anytus, Meletus, and Lycon, also facing the judges. Anytus, as we have already seen (*i*), was one of the leaders in the restoration of the democracy after the fall of the Thirty, and was the most influential and formidable of the prosecutors; and the reasons for his hostility to, and accusation of, Socrates have already been explained (*k*). In the course of his speech Socrates sometimes refers to his accusers as "Anytus and his companions" (*l*), thus recognising the virtual, if not the formal, predominance of Anytus on the side of the prosecution. Meletus, who was no doubt induced by Anytus—for what consideration, if any, we do not know (*m*)—to lend his name to the indictment as the ostensible prosecutor. He was a young man of the deme of Pitthea, hardly known (*n*), and possessed a striking appearance—with aquiline nose, lank hair, and a scanty beard (*o*). Socrates said that Meletus appeared to prosecute on behalf of the poets (*p*), and we find that Aristophanes appears to have ridiculed him as a poet (*q*). Lycon joined the forces of the prosecution on behalf of the rhetoricians. He is mentioned by some of the writers of the Old Comedy: Eupolis refers to his foreign extraction, Cratinus to his poverty and effeminacy, but Aristophanes (*r*) places him among a number of aristocrats, and describes him as a drunken brawler (*s*). It has been suggested that probably Meletus and Lycon were nothing more than men of straw, and were used as mere tools by Anytus. They were certainly tools, and dangerous ones, but they were by no means mere cyphers in the onslaught made on the accused before the judges: each played his part.

(*h*) Cf. *Apol.* 24 e.
(*i*) *Supra*, pp. 208 *seq.*
(*k*) *Ibid.*
(*l*) *Apol.* 18 b: τοὺς ἀμφὶ Ἄνυτον.
(*m*) Cf. Liban., *Apol.* 11, 51 (ed. Reiske).
(*n*) *Apol.* 25 d, 26 e.
(*o*) *Euthyph.* 2 b.
(*p*) *Apol.* 23 c; Diog. Laert. ii. 39.
(*q*) *Frogs* (405 B.C.), 1302. But it has been doubted whether this is the Meletus whom the poet satirised in 405 B.C. See J. Burnet, *Plato's Euthyphro*, etc., pp. 9–11. The fact, however, that Socrates described him as "young and unknown" is not necessarily inconsistent with Aristophanes' reference to him five or six years earlier.
(*r*) *Wasps*, 1301.
(*s*) Cf. Kühner, *ad. Xen. Mem.* i. 1. 1.

Among the large public audience, separated from the judges by barriers, were no doubt many of Socrates' cherished friends and associates, deeply anxious about the impending fate of their beloved and incomparable master.

" There might be seen the massive brow of Plato, then a young man of eight and twenty, Plato's brother Adeimantus, the haggard Critobulus and his father Crito, Apollodorus with his stern and penetrating gaze, accompanied by his brother Aeantodorus. The elegant and fashionable Aristippus can hardly have been absent, or the more rugged figures of the Boeotians Simmias, Cebes, and Phaedondas, or the curly-headed, young, and beautiful Phaedo, or Antisthenes, his resolute face framed in shaggy hair."

After the proceedings were solemnly opened with an offering of incense and an invocation to the gods, the president turned to the judges and formally declared that they were to try the case of Meletus against Socrates, and told them that the procedure was that of a public action (*γραφὴ δημοσία*) (*t*), with which they were well acquainted. The clerk of the court then rose and read the indictment (*ἔγκλημα*) (*u*), which was to this effect (in the formula given by Diogenes Laertius) (*x*) :

> " Meletus, the son of Meletus, of Pitthea, impeaches Socrates, the son of Sophroniscus, of Alopece, to wit: Socrates is guilty on the ground that he does not recognise the gods recognised by the State, but introduces other new divinities ; he is further guilty on the ground that he corrupts the youth. The penalty incurred is death."
>
> (*τάδε ἐγράψατο καὶ ἀντωμόσατο Μέλητος Μελήτου Πιτθεὺς Σωκράτει Σωφρονίσκου Ἀλωπεκῆθεν · ἀδικεῖ Σωκράτης, οὓς μὲν ἡ πόλις νομίζει θεοὺς οὐ νομίζων, ἕτερα δὲ καινὰ δαιμόνια εἰσηγούμενος · ἀδικεῖ δὲ καὶ τοὺς νέους διαφθείρων . τίμημα θάνατος.*)

According to Favorinus, a contemporary and friend of Plutarch, the actual document on which this indictment was inscribed was (if we are to accept the report of Diogenes Laertius) (*y*) still preserved in his own time among the archives of the Metroon in the temple of Cybele. Certain modern commentators (*z*) have pro-

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(*t*) Cf. *Euthyph.* 2 a.

(*u*) This was referred to by Socrates sometimes as *ἀντωμοσία* (*Apol.* 19 b, 24 b), and sometimes as *ἀντιγραφή* (27 c), in allusion to the proceedings at the preliminary hearing (*ἀνάκρισις*) before the magistrate ; see *supra*, pp. 248 *seq.*

(*x*) Diog. Laert. ii. 5. 40.

(*y*) *Ibid.*

(*z*) For example, M. Schanz, *Sammlung ausgewählter Dialoge Platos mit deutschem Kommentar*, vol. iii., *Apologia* (Leipzig, 1893), p. 16: " Also die Erzählung des Favorinus, dass noch zu seiner Zeit die Klageschrift im athenischen Archiv sich befunden habe, ist ein Märchen."

nounced this report a fraud, though without producing any evidence or valid arguments to substantiate their opinion.

It is essential to add here that Socrates, referring in the course of his address to the indictment, states it in the following words, though he does not purport to quote it strictly verbatim :

> " It says that Socrates is a wrongdoer because he corrupts the youth, and does not believe in the gods in whom the city believes, but in other new divinities."
>
> *Σωκράτη φησὶν ἀδικεῖν τούς τε νέους διαφθείροντα καὶ θεοὺς οὓς ἡ πόλις νομίζει οὐ νομίζοντα, ἕτερα δὲ δαιμόνια καινά* (*a*).

Socrates, represented as informing Euthyphro of Meletus' indictment, expresses its terms thus :

> " He says that I am a maker (or manufacturer) of gods ; and so he indicted me, as he says, for making new gods, and for not believing in the old ones."
>
> *φησὶ γαρ με ποιητὴν εἶναι θεῶν, καὶ ὡς καινοὺς ποιοῦντα θεούς, τοὺς δ' ἀρχαίους οὐ νομίζοντα ἐγράψατο τούτων αὐτῶν ἕνεκα, ὥς φησιν* (*b*).

Xenophon expresses the terms of the indictment in the following form (which, it will be noted, transposes the two counts as given in Plato, though their order is in conformity with that in Diogenes Laertius) :

> " Socrates is guilty of crime in refusing to recognise the gods acknowledged by the State, and introducing strange divinities of his own ; he is further guilty of corrupting the youth."
>
> *Ἀδικεῖ Σωκράτης οὓς μὲν ἡ πόλις νομίζει θεοὺς οὐ νομίζων, ἕτερα δὲ καινὰ δαιμόνια εἰσφέρων · ἀδικεῖ δὲ καὶ τοὺς νέους διαφθείρων* (*c*).

The indictment having been recited, the accusers opened their case. No doubt all the three of them spoke ; for we find that Socrates is made to refer to the speeches of the " accusers," though most frequently to those of Anytus and Meletus. There is no existing text of their speeches, and we can only surmise what they said, first, from the general circumstances of the accusation and what it implied, secondly, from the specific allusions made by Socrates to this or that point in their speeches, and thirdly, from the general tenor of his defence and the various matters therein touched upon. In which order they spoke we are not expressly told. But as Meletus was the formal prosecutor (*κατήγορος*), and as Anytus and Lycon were therefore in the position of " supporters " or " auxiliaries " (*συνήγοροι*), we may be certain that it

(*a*) *Apol.* 24 b.
(*b*) *Euthyph.* 3 b.
(*c*) *Mem.* i. 1. 1. The interpretation of the indictment is considered in the next chapter.

was Meletus who actually opened the case for the prosecution. There is, moreover, an indication (but not a very definite one) to the same effect in these words put into the mouth of Socrates in reference to the votes of the judges (*d*) : " I may say, I think, that I have escaped Meletus. Nay, I may say more ; for without the assistance of Anytus and Lycon, he would not have had a fifth part of the votes, as the law requires, in which case he would have incurred a fine of a thousand drachmae, as is evident."

Grote (*e*) conjectures that Anytus, Meletus, and Lycon made a partition of their topics, Meletus dealing with that part of the accusation which related to religion, and Anytus and Lycon dwelling on the political considerations involved. But this conjecture has very little to support it. It is more probable that, as Meletus was the introducer of the case, as he was not a mere man of straw and was able no doubt to speak fluently and without any nervous constraint, he discussed both counts in the indictment which was preferred in his name, though he may have laid stress on the charge of irreligion.

Meletus was at pains, at the very commencement of his speech, to emphasise the purity of his motives and his patriotism in the part he took in the prosecution (*f*). He endeavoured to show, with all the emotion that a minor tragic poet could command on such a solemn occasion, that Socrates was guilty of both counts in the indictment—impiety and corruption of the youth. He spoke, most probably, of the prisoner's speculations in physical science, and invited the court to draw the conclusion therefrom that Socrates not only ridiculed and rejected the recognised gods of the State but was either an atheist or very near to one (*g*) ; he also ridiculed that " divine sign " or " divine voice " which Socrates had, on his own admission, invariably obeyed, and this strange divinity of his was one whereof the State had no cognisance. As a poet he would, of course, refer to the wanton aspersions cast by the accused on the poets generally, who were regarded by everybody else as seers and teachers of the people.

It may be that Lycon spoke next, so that Anytus might conclude the case for the prosecution and so leave a deep impression on the minds of the citizen-judges. Lycon, as a rhetorician, endeavoured to influence the minds of the judges by his rhetorical

(*d*) *Apol.* 36 a.
(*e*) *History of Greece*, vol. vii. (1872), p. 148.
(*f*) *Apol.* 24 b.
(*g*) Cf. *Apol.* 26 c ; Xen., *Mem.* i. 1. 17.

devices in " a set oration duly ornamented with words and phrases " (*h*). Having given a *résumé* of the charges, he perhaps considered more fully the law on the subject (for rhetoricians, like logographers, were supposed to have a knowledge of the law beyond that of ordinary citizens), reminded the judges of previous prosecutions for impiety, and laid stress on the imperative necessity of enforcing the law. He must have pointed out, too, that just as Socrates had derided the poets—which his colleague Meletus had so ably and conclusively shown—so he had cast ridicule on the rhetoricians, who had the interests of the State at heart, and whose main concern was the eloquent exposition of truth. With his arresting rhetorical flourish he—we may imagine—protested that he was not a seductive and misleading speaker as Socrates was (*i*) ; and he knew how to insinuate himself into the hearts of simple-minded fellow-citizens and gain their approval.

Anytus then followed. An elderly man, perhaps grey-headed, he presented a striking contrast to the preceding speakers. He stood up to his audience as a patriot in deed and not merely in word, in fact almost as a martyr for his and their country, and the cares of State darkened his countenance. He, at all events, could speak conscientiously and with " righteous indignation " ; for he had a son whose want of filial piety showed that he had succumbed to the sinister influences attributed to the accused philosopher, that source of social disruption ; and he had, too, an intimate knowledge of the working of democratic government, which convinced him that that persistently disturbing " gadfly " should be once for all suppressed. Anytus, therefore, like Meletus, laid stress on Socrates' corruption of the youth, and stigmatised him as " a destroyer of their kindred " (*k*). He pressed for the infliction of the supreme penalty (*l*), and observed that if Socrates were not put to death he ought not to have been prosecuted at all (a telling point, no doubt, in the view of many jurors whose logical powers were mediocre). If he regained his liberty the sons of the judges would all be utterly ruined by listening to the corrupter's discourses and imitating his baneful example (*m*), and they would

(*h*) *Apol.* 17 d.
(*i*) *Apol.* 17 b.
(*k*) 34 b. See also *infra*, p. 314.
(*l*) 29 b, c, 30 b. Professor Bury says that " there is no reason to suppose that Anytus wished Socrates to be put to death " (*Cambridge Ancient History*, vol. v. (1927), p. 392). But this remark is inconsistent with the statement of Socrates that Anytus urged the necessity of inflicting the penalty of death on the accused.
(*m*) 29 c, 34 a.

rebel against the authority of their fathers and their elders ; they would also continue to criticise the sacred traditional institutions of the State, and would become like those notorious disciples of Socrates, the hatred Critias, Alcibiades, and others who had given way to oligarchical, tyrannical, and traitorous propensities. Anytus the politician, who was well known to all the judges, who was conscious of having deserved well of them and of his country, and who, in fact (as Plato tells us (*n*)), stood high in their favour, would naturally hold himself out as being especially competent to speak on the political aspect of the case ; and this part of the case would interest the large representative assembly of citizen-politician-judges much more than disquisitions on law or the philosophical speculations and the mischievous dialectic of the accused. Anytus must have made much, in the course of his speech, of the recent tyranny of the Thirty, the evils of the people, the fortunate restoration of democracy (in which he played so notable a part), the necessity to consolidate it and to safeguard the " unmixed democracy " against the sinister attempts of such men as the prisoner. He must have laid stress on Socrates' anti-democratic sympathies and doctrines, on his indiscriminate attacks on politicians and statesmen, present and past, and on his refusal to participate in the public functions and to fulfil the obligations that are indefeasibly attached to citizenship (*o*). No doubt he concluded by warning the judges against the ingenious manner of speech and clever arguments practised by the defendant (*p*). Probably Anytus was more concerned about the moral and the political questions involved in the accusation than about the religious ; so that he may not have addressed himself particularly to the alleged irreligion of Socrates. For we find that in the very same year as that of Socrates' trial (399 B.C.) he appeared at the trial of Andocides, who was charged with having been implicated some fifteen years before in the mutilation of the Hermae and the profanation of the Mysteries (which were supposed to have been anti-democratic acts), and spoke in favour of the accused. It has been conjectured that he did so because the revelations of Andocides " had been of service to the democratic party " (*q*).

Apart from thus outlining the case for the prosecution in

(*n*) *Meno*, 90 b.
(*o*) See *infra*, chap. xvi., sec. i., which may be regarded as a supplement to this conjectured reconstruction of the outline of the case for the prosecution.
(*p*) Cf. *Apol.* 17 b.
(*q*) Burnet, *Greek Philosophy*, p. 189.

general, the accusers no doubt advanced various specific allegations with more detailed arguments (whether or not supported by evidence), some of which we find in the *Memorabilia* of Xenophon, who expressly refers several times to the actual charges of the "accuser" (*r*). These charges will be considered in the following chapter; but for the present it is necessary to look at this word "accuser," in view of our desire to reconstruct as fully and as precisely as possible (in the absence of adequate records) the case for the prosecution and for the defence. Now Xenophon describes the "accuser" as ὁ κατήγορος, distinguishing this word, presumably, from the term οἱ γραψάμενοι, that is, those who prosecuted Socrates at the trial (*s*). This "accuser" is identified by several modern authorities with Polycrates, a rhetorician and logographer, who issued some time between 392 B.C. and 380 B.C. (perhaps between 394 and 390 B.C.), as a contribution to the Socratic controversy that followed the death of Socrates, a pamphlet containing an "epideictic" speech entitled *The Accusation of Socrates* (ἡ κατηγορία Σωκράτους), which was probably put into the mouth of Anytus (*t*). There was a tradition in the third century B.C. (*u*) that it was the speech actually delivered by Anytus at the trial in 399 B.C., but Diogenes Laertius (*x*) contradicts it, on the authority of Favorinus (and it would seem that Isocrates, a contemporary of Polycrates, had considered the production a mere rhetorical exercise of indifferent quality (*y*)). Now Xenophon's *Memorabilia* is also a contribution to this controversy, and was intended in the first place as a defence of Socrates against the charges made at his trial, and repeated later by certain detractors, and, secondly, as a reply to such derogatory pamphlets as that of Polycrates (*z*). We may add, however, that the evidence in favour of this interpretation, though it is strong, is purely circumstantial and by no means conclusive (*a*). For

(*r*) *Mem.* i. 2. 49, 51, 56, 58–59.

(*s*) *Mem.* i. 1. 1.

(*t*) It has been suggested (for example, by Wilamowitz-Moellendorff) that the production of Polycrates was called forth by Plato's *Gorgias*, which represents Socrates as making adverse criticism on leading Sophists.

(*u*) Diog. Laert. ii. 5. 38–40. Cf. Quintilian, ii. 17. 4; iii. 1. 11.

(*x*) ii. 5. 39.

(*y*) *Busiris*, 4.

(*z*) See Dakyns, *op. cit.*, vol. iii., pt. 1, pp. xxxviii.–xl., where he also refers to the following: C. G. Cobet, *Novae Lectiones*, etc., pp. 662 *seq.*; L. Dindorf, Praef. to the Oxford edition of Xenophon, pp. xx. *seq.*; G. Sauppe, Praef. to his edition of Xenophon, vol. iii., p. xi.; J. J. Hartman, *Analecta Xenophontea*, v., pp. 104 *seq.*; M. Schanz, *Plat. Apol.*, pp. 22 *seq.* ("Die Anklagerede des Polykrates"); K. Joel, *Der echte und der Xenophontische Sokrates*, vol. i., pp. 19 *seq.*

(*a*) For a view contrary to that of Cobet, see B. Büchsenschütz, in *Philologus* (Goettingen), vol. xxii. (1865), pp. 691 *seq.*

the term κατήγορος as used by Xenophon may perhaps refer to Anytus himself, or at all events to the joint prosecution. We have already seen in a previous chapter (*b*) that this word was often used to designate the prosecutor, in whose name an indictment was preferred, as distinguished from his "supporters" (συνήγοροι). Moreover, this portion of Xenophon's work where he speaks of the "accuser" follows on naturally the opening portion, where he speaks (*c*) of the arguments used by those who indicted Socrates (οἱ γραψάμενοι); and there is no certainty that Xenophon really meant to distinguish the κατήγορος from these, especially so as these expressions were not technical terms with fixed meanings. But in any case the observations of Xenophon indicate the sort of specific allegations and detailed arguments that were probably brought forward at the trial by the joint accusers.

We may add here that as the production of Polycrates (*d*) has not come down to us, we may perhaps infer the substance of it not only from the vindicatory account of Xenophon, but also—and more directly—from the *Apology* of Libanius (*e*), which was a reply to Polycrates issued in the latter part of the fourth century A.D. The following were the charges that Libanius endeavoured to refute: Socrates was a Sophist exercising a pernicious influence (*f*); he encouraged citizens, especially the youth, to despise Athenian laws and customs (*g*); he assailed the institutions of the State, especially the democratic form of government, and the sovereignty of the people, and he favoured a tyranny (*h*); he induced his companions to disregard the national gods (*i*); he corrupted the youth in various ways (*k*); he ridiculed the great poets esteemed by the people—for example, Homer, Hesiod, Theognis, and Pindar—and he misused their writings so as to encourage misconduct (*l*); he did not regard as unlawful the commission of such crimes as theft, deceit, sacrilege, perjury, vio-

(*b*) See *supra*, p. 252.
(*c*) *Mem.* i. 1. 1.
(*d*) See R. Hirzel, "Polykrates' Anklage und Lysias' Vertheidigung des Sokrates," in *Rheinisches Museum fur Philologie* (Frankfurt am Main), Neue Folge, vol. 42 (1887), pp. 239–250.
(*e*) Cf. H. Markowski, "De Libanio Socratis defensore," in *Breslauer Philologische Abhandlungen* (Breslau), vol. 40 (1910), pp. 1–196; K. Meiser, "Zu den Deklamationen des Libanios über Sokrates," in *Sitzungsberichte der Königlich Bayerischen Akademie der Wissenschaften. Philosophisch-philologische und historische Klasse* (München, 1910), pp. 1–26.
(*f*) Libanius, *Apology*, §§ 5, 52.
(*g*) 13, 80.
(*h*) 13, 29, 34, 51, 53, 55, 163.
(*i*) 29, 110.
(*k*) 29, 102.
(*l*) 62, 98.

lence (*m*), and he made it appear that vices openly practised were less reprehensible than secret vices (*n*). He taught citizens to live an idle life, and indulge in useless speculations (*o*); he seduced them from their occupations (*p*) and encouraged them to abstain from a political or public life (*q*); he was the teacher of Alcibiades and Critias (*r*).

(*m*) 13, 86–88, 93–95, 105, 107, 109, 123.
(*n*) 37, 117.
(*o*) 13, 127.
(*p*) 129, 132.
(*q*) 133.
(*r*) 135, 136, 148.

CHAPTER XIV

SPECIFIC ALLEGATIONS AND THE REPLY THERETO.—I. IMPIETY

. . . Jus summum saepe summa malitia est.
(Terence.)
(The strictest law is oft the highest wrong.)

Συνειδὸς ἀγαθοῦ φιλεῖ παῤῥησιάζεσθαι.
(Pausanias.)
(A good conscience is wont to speak out openly and fearlessly.)

Our task is now a very difficult one. There is no authentic record of the speeches of the prosecution; and, as has already been pointed out, we can only safely conjecture their contents and purport from the terms of the indictment and from what they apparently imply, and, above all, from the substance of Socrates' own reply (supplemented—with reservations—by the statements of Xenophon and the *Apology* of Libanius). Even then, we have to remember that Plato's account was written some time after the trial, so that it is reasonable to suppose that it cannot possibly be a complete or literally accurate representation of what Socrates actually said. Therefore we cannot transcribe after the fashion of a reporter or of a "scientific" historian the speeches on both sides (which would, of course, have been a very easy and conclusive matter) with comments on their relevance and cogency, as well as on the relevance and cogency of whatever evidence may have been produced. Our method must be, then, reconstructive and critical quite as much as, if not more than, narrative, analytical, and expository. That being so, it will be more convenient to discuss, in the first place, the two counts of the indictment—impiety and corruption of young men—and then consider the nature of the defence in general; and in doing this, as well as in our subsequent treatment of the trial, we shall not necessarily follow the order of the topics touched upon in the *Apology*, or confine ourselves to them. First, then, as to impiety.

Now the indictment concerning impiety is very vague, in its comprehensive generality; and this difficulty is increased by the fact that, as we have already seen (*a*), the law relating to impiety was not clearly defined and its application was left very much

(*a*) Chap. x.

to the discretion of the people sitting as judges and juries in this or that court. As the indictment stands, indeed, it might (if one may say so) cover a multitude of sins. What we should like to know is the particular sin, the specific irreligious act or acts imputed to the accused. It is difficult to believe—especially for us who are accustomed to seeing charges preferred against accused persons with the utmost particularity and with meticulous precision so that they may know exactly what they have to answer—it is difficult for us to believe that the original indictment as laid by Meletus and recited in court was not more definite. Yet, when we look at the nature of Socrates' defence, as related by Plato and supported by the vindicatory observations of Xenophon, the conclusion is forcibly borne in upon us that the charge which was actually brought before the Archon and set forth afterwards by the prosecution before the 501 judges of the dicastic court was really an indefinite one ; and in all probability it was not even clear to the accusers themselves. We are disposed, therefore, to agree with the remark of a recent writer that the charge was very likely made " on the principle that in the present state of democratic sentiment any stick was good enough to beat Socrates with " (*b*).

Professor Taylor (*c*), observing that the nature of the " impiety " of Socrates has always been wrapped in a cloud of mystery, asks two important questions relating to the attack on Socrates. First, why should he have been one of the earliest victims of the restored democracy ? Secondly, why should so influential and upright (*d*) a person as Anytus have lent the weight of his reputation to the prosecution ? We believe that these questions are easy to answer, and we submit that they have already been satisfactorily answered in the foregoing chapters (*e*). The difficulty does not lie in these questions ; it lies, of course, in trying to ascertain the nature of Socrates' conduct which the prosecution stigmatised as impious, and ultimately prevailed on a majority of the judges to accept that view. We would suggest, moreover, and with all respect, that Professor Taylor's attempt to answer the above questions and more especially to solve the mystery of Socrates' actual dereliction looks like an attempt to explain the *ignotum per*

(*b*) G. C. Field, *Socrates and Plato* (Oxford, 1913), p. 29.
(*c*) *Varia Socratica*, p. 1.
(*d*) As I have already said, I am reluctant to accept the reports that were current about Anytus' dishonourable conduct (*supra*, p. 208), but I feel that " upright " is a term that is not quite merited. However, let that pass.
(*e*) See especially chap. ix.

ignotius, and has, in our opinion, complicated and darkened the "mystery" more than ever. Accordingly, we may say at once that we cannot accept the Pythagorean-Orphic theory (as will be shown more fully later), and that we maintain the traditional view —namely, that the very essence of Socrates' alleged impiety was his "divine sign," the "voice" he had heard so often, and declared publicly, to the mystification of the multitude and the umbrage of the orthodox. We shall see, too, that in court, though not in the indictment, Socrates was charged with atheism.

We have already set out the terms of the indictment, and have given the three existing variants thereof—those of Diogenes Laertius, Plato, and Xenophon. Now despite slight differences, in wording and in the order of the counts, they agree substantially; and, in respect of the charge of impiety, they are to the effect that Socrates did not "recognise," "acknowledge," or "believe in" the national (or official) deities, and "recognised" or "introduced" (or "invented") new or strange deities. The word "importing," given for Xenophon's εἰσφέρων by Professor Taylor (*f*) instead of the translation "introducing," we cannot accept, because there is a danger that it may be used with a question-begging implication. To "import" may, of course, be employed in the sense of to introduce (speaking, say, figuratively), as to "import a meaning"; but it may also be used in the sense of bringing something *from one place into another*, as, for example, "to import Bolshevist doctrines from Russia." The danger, therefore, is that to translate εἰσφέρων as importing in the second sense makes or may make one jump to the conclusion that Socrates did actually import into his country from a foreign country certain religious ideas and practices; and with such a conclusion before one the natural tendency is to attribute to him certain acts, for which attribution there is a semblance of support, but no adequate warrant in reality.

Nor is there sufficient reason for assuming that the word νομίζειν in Plato and Diogenes Laertius means "to worship" (a version adopted by Professor Burnet (*g*)); because the latter word

(*f*) *Varia Socratica*, pp. 6, 7.

(*g*) *Greek Philosophy*, p. 180: "The least inadequate translation of νομίζειν in its legal sense is 'worship.' The word does not refer primarily to 'religious opinions,' but to the observance of certain current 'uses' (νόμοι)." The same writer's observations in *Plato's Euthyphro, Apology, and Crito* (Oxford, 1924), p. 104, furnish strong grounds for his view, but are not quite conclusive. The suggestion that Socrates could have been indicted only for non-worship and not for non-belief is refuted by the fact that other prosecutions for impiety were brought on the ground of non-belief. See *supra*, p. 219.

implies not merely a recognition of or belief in certain gods, but also the observance of certain ritual. If, however, such meaning were adopted, then (as we shall presently see) the proof of the allegations against Socrates would be all the more difficult, as it would be also if the rejected significance of " to import " were accepted.

Further, the term " deities " has not necessarily, either here or in the Athens of Socrates, the same connotation as the word " cultus " has ; for it is possible now, as it was possible then, for a person to introduce, recognise, or believe in a new deity without actually participating in any formal ceremonial connected with such deity. Accordingly, we cannot assent to the proposition that Socrates was accused " of devotion to a religious cultus which has not the stamp of the State's approval, and is, in fact, an unlicensed importation from abroad " (*h*).

One point more. It is necessary to be clear at the very outset that the indictment itself did not charge Socrates with denying, or even expressing doubt about, the existence of the gods recognised by the city. We shall see, however, that the imputation of atheism was indeed made during the course of the trial, and that Socrates was at pains to refute it.

Having now cleared the ground as regards the interpretation of the terms of the indictment, we are at once faced with another difficulty, namely, the question of evidence. What evidence was produced against Socrates, that is to say, over and above the statements of the prosecutors ? Judging from the outline we have given of the ordinary procedure in a public action, and especially of that part relating to the taking, preservation, and confirmation of evidence, we cannot imagine that evidence was altogether dispensed with, even against such an obstreperous nuisance as Socrates. The *Apology* does not mention evidence of witnesses. But such silence is not necessarily conclusive on this point, in view of the fact that witnesses (once their evidence was committed to writing) played a very small part at a trial ; they were not examined and cross-examined there, their previously prepared depositions were simply read out, and they merely gave their silent assent thereto (*i*). But it is not clear that in the time of Socrates evidence had to be in writing ; probably the rule was not then strictly enforced. In the course of his speech Socrates

(*h*) Taylor, *Varia Socratica*, pp. 7–8.
(*i*) See *supra*, chap. xii., pp. 255 *seq.*

offered to stand aside, if Meletus had witnesses to prove the charge of corrupting the youth (*k*) ; presumably oral evidence is implied.

In the case of other famous trials for impiety, for example, of Anaxagoras, Protagoras, Diagoras (*l*), evidence of irreligious doctrines could readily be provided from their own incriminating writings, which doctrines, of course, they would be estopped from denying. It is very doubtful, indeed, whether evidence of this kind was adduced in the case of Socrates ; for there is no indication in any extant record that he ever wrote anything at all, unless private letters of his containing alleged irreligious observations were secured and put in. But there was really no need for either documentary or oral evidence to support the charge of impiety, which was founded (as we contend) on Socrates' open profession in regard to his daemonium. The divine sign of the accused was not only a matter of common knowledge, but it was also acknowledged and even insisted on by him in court (*m*). We may add here as a significant point (to which we shall refer in our consideration of the second part of the indictment), that when Socrates dealt with the charge of corrupting the youth he protested against the lack of evidence against him (*n*) ; whereas when he dealt with the charge of impiety no such protest was made. It appears, however, from Xenophon's *Apology* that on this latter count the prosecution did produce witnesses ; Socrates referring to them at the conclusion of the trial remarked that the witnesses who bore false testimony against him and those who instructed them to do so " must have a heavy load on their minds in the consciousness of their gross impiety and injustice " (*o*).

We come now to Socrates' defence against the charge of impiety (*p*). The first part of this count says that he did not recognise the gods of the State ; the second part says that he recognised strange gods. Let us take these in turn.

(i.) NOT RECOGNISING THE GODS OF THE STATE

The *Apology* tells us very little about this first part of the accusation. We do not know whether the prosecutors meant to accuse Socrates of not recognising all the gods that were recognised by

(*k*) *Apol.* 34 a.
(*l*) See *supra*, chap. x., p. 219.
(*m*) *Apol.* 31 d.
(*n*) *Apol.* 33 c, d, 34 a.
(*o*) Xen., *Apol.* 24.
(*p*) We have already considered Socrates' religious doctrines (chap. v., sect. iii.), so that there is no need to deal with them again, except in so far as it is necessary to mention some of them again in view of the charges and of his defence.

the State, or of not recognising only some of them. If they meant the latter, there is nothing whatever to indicate which of the gods. The former alternative, at all events, was refuted by Socrates when, in his cross-examination of Meletus, he showed that he did in fact believe in and worship certain national deities, such as the sun and the moon (*q*) (which, of course, did not imply that he did not worship also other deities). And this fact he could have no doubt confirmed by witnesses, who knew from their own observation that Socrates was wont to offer prayers to the sun (*r*). We shall recur to this point presently, when we consider the charge of atheism.

In the case of either of the above-mentioned alternatives, however, Socrates had two lines of defence, whether he availed himself of them or not. In the first place, a charge of mere non-recognition of, or disbelief in, national gods, even if conclusively proved, was not sufficient, in the then existing state of law, of judicial administration, and of public opinion, to render him liable to punishment, especially so to the supreme penalty. We have already seen that in his time religious heresy, scepticism, free thought, agnosticism, and even downright atheism were rife in Athens and were professed with impunity by sections of the population ; so that the law—which was or was claimed to be in democratic Athens more than in other places an expression of public opinion—tolerated numerous relaxations of the old strictness (*s*). In these circumstances, and also in view of the fact that the Athenians attached great importance in legal trials to equitable considerations and to the particular merits of each case—for they never had a systematic positive code of law like that of the Romans—mere non-recognition of the national gods was only a " technical " offence or at most a breach of an obsolescent if not an obsolete law.

Furthermore, if the accusation was aimed not simply at Socrates' mere non-recognition or disbelief—which is obviously a question of the state of one's inner consciousness and therefore not provable by an accuser in the absence of a pronouncement or confession to that effect by the accused—but at overt acts of

(*q*) *Apol.* 26 c, d.

(*r*) Cf. Plato, *Symp.* 220 d, where Socrates is shown as invoking Helios. And in *Phaedo*, 118 a, his very last words were of a sacrifice to Aesculapius. The point of these references is, not necessarily that Socrates did in reality prove these things by independent testimony, but that he could have done so, because his habits, his ways, and his ideas—which were throughout consistent—were known to a considerable circle of friends.

(*s*) See *supra*, chap. i. and chap. x., pp. 216 *seq.*

unlawful worship, then the accused could not justifiably be called upon to answer such a charge before the prosecution had produced adequate evidence to substantiate their allegation. In Athenian law, as in all other civilised law, the burden of proof lay in the first place on the accuser; and it is very doubtful, if we are to judge from the substance and the allusions of the *Apology*, whether any corroborative testimony was adduced by Meletus and his associates in support of their allegation (*t*). It is more likely that they relied on common rumour and on the old unforgettable impressions produced by the Aristophanic misrepresentation, as well as on the general hostility to Socrates, and that they hoped thereby to snatch a verdict from a popular assembly of judges, who (as they might well have confidently believed) would not be sympathetically disposed towards Socrates, and whom Socrates (as they might also have been certain) was not likely to conciliate during the trial. We may add that, according to Xenophon's *Apology*, Socrates observed to some friends at the conclusion of the trial that the prosecution had not proved against him that he had sacrificed to, or sworn by, or in any way acknowledged any new deities instead of Zeus and Hera and those worshipped with them (*u*).

In order to defeat, then, the uncorroborated accusation that he did not believe in the national gods, Socrates had simply to declare that he did believe in them; and so if the prosecution persisted in their charge the obligation was on them to disprove his affirmation,—such obligation being, in these circumstances, imperatively dictated by the fundamental principles of jurisprudence. If, however, the prosecution had brought evidence of unlawful overt acts of worship on the part of Socrates, then his course would have been to establish by the contrary evidence of witnesses, in the first place that they, having known him for a long time, had

(*t*) Thus Thirlwall, *History of Greece* (London, 1847), vol. iv., pp. 550–551, replying to the view of P. W. Forchhammer, *Die Athener und Sokrates* (Berlin, 1837), that Socrates was guilty if he did not *believe* in the gods of the State, observes: "But Socrates might have been an unbeliever, and yet not have been guilty of a breach of any Athenian law. For we must presume, until we have proof to the contrary . . . that the laws of Athens resembled most human laws of civilised States in this respect, that they did not affect to regulate the inward consciousness, but the outward deportment of the citizens; that they did not prescribe what was to be believed, or felt, but what was to be done or said. . . . The meaning of the indictment was not simply that Socrates did not believe in the gods, but that he had manifested his unbelief by act or speech. But it does not appear that the accuser was able to bring any evidence that could ground a reasonable presumption of the fact."

The "act or speech" of which Thirlwall speaks refers, of course, simply to the expression or communication of unbelief, and not necessarily to the observance of forbidden ceremonial.

(*u*) Xen., *Apol.* 24.

never seen him do such things, and secondly that he was wont to participate in the public sacrifices and other ritual, such participation—and not tacit professions—having come to be regarded at that time as the criterion of orthodoxy. We do not know whether he produced such evidence to corroborate his affirmation. Judging from the general tenor of Plato's *Apology*, and from the definite declarations which Socrates is shown to have made (*x*), and, more particularly, from his religious doctrines that have already been set forth (*y*), we may safely conclude that he could have adduced ample irrefutable evidence, had he been permitted to do so.

For there were many who could and would have readily stated what Xenophon has told us about Socrates. He declares emphatically that Socrates never attacked the national religion, and that he observed and practised it. "He was often to be seen engaged in sacrifice, at home or at the common altars of the State" (*z*). He did not neglect the practice of divination; and he placed quite as much reliance on the manifestations of the "divine sign" as other people did on such omens as "the flight or cry of birds, the utterances of man, chance meetings, or a victim's entrails" (*a*). (We may add that the number and kinds of such omens, to which citizens might have recourse for the purpose of ascertaining the will of the gods, were not strictly prescribed or limited by the law, though we shall see presently that the use of Socrates of this monitory oracle of his was construed fatally against him.) Just as other men were guided by these omens, on the ground, of course, that they indicated the divine will, so Socrates invariably followed the guidance of the "voice" on the same ground. Not only did he pay attention to such divine manifestations himself, but he also constantly advised his friends to do certain things and not to do others, on the authority of the same intimations (*b*). On difficult questions he counselled his associates to have recourse to divination (*c*); and on one occasion he reproved Xenophon for not first inquiring of the oracle whether he should accept the invitation of Cyrus before he decided to do so (*d*). Indeed, he despised every human aid by comparison with counsel from the gods (*e*). And he showed un-

(*x*) For example, 26 d, 27 b *seq.*
(*y*) *Supra*, chap. v., sect. iii.
(*z*) *Mem.* i. 1. 2. Cf. Xen., *Apol.* 10.
(*a*) i. 1. 3. Cf. Xen., *Apol.* 11.
(*b*) i. 1. 4.
(*c*) iv. 7. 10.
(*d*) *Anab.* iii. 1. 5.
(*e*) *Mem.* i. 3. 4.

mistakably at the trial itself what reverent regard he paid to the Delphic oracle (*f*). Concerning sacrifices and other religious observances he enjoined on his associates, conformably to the rule of the Delphic Pythia, that they should act according to the law and custom of their State, and he followed the same principle himself (*g*). He admired the line of Hesiod, which says " According to thine ability do sacrifice to the immortal gods " (*h*).

Having regard to such beliefs, teachings, and practices, Socrates could well have argued in the way that Xenophon aptly suggests, in his vindication.

" Yet, it will be readily admitted that he would not wish to appear to his companions either a knave or a fool. But he would have appeared to be both, had his declaration that he received divine intimations proved to be false. Clearly, then, he would not have ventured to make predictions at all had he not believed that the words he spoke would come true. Then who but a god could have inspired him with that assurance ? And if he had trust in the gods, how could he fail to believe in their existence ? " (*i*).

It is not, of course, suggested that Socrates insisted or could properly have insisted that he was strictly orthodox in all his religious views : indeed, very few people among the thinking classes of the time could have made such a claim on their part. With his customary sincerity and unswerving attachment to truth, he could not and would not have done so ; but assuming that the charge of not recognising the national gods was definite enough for him to answer at all, it is clear that it was not necessary for him to prove complete and unadulterated orthodoxy of religious faith in order to rebut the accusation as specified in the indictment.

(ii.) INTRODUCING STRANGE GODS

In regard to that part of the charge relating to the recognition or introduction of new or strange gods, there is no indication whatever clearly suggestive of any other divinities than Socrates' " divine sign "—his daemonium. In Plato's *Apology* Socrates is made to say to his judges, in explanation of his not having engaged in politics : " You have often heard me speak in times past of an oracle or sign which comes to me, and is the divinity which

(*f*) *Apol.* 21 b.
(*g*) *Mem.* i. 3. 1.
(*h*) i. 3. 3. Hesiod, *Works and Days*, 336.
(*i*) i. 1. 5.

Meletus ridicules in the indictment" (*k*). This is a straightforward unambiguous statement plainly connecting Socrates' accustomed sign with the accusation that he introduced strange gods into the city.

It has, however, been claimed (*l*) that this part of the charge was not really aimed at the daemonium, in spite of what Socrates is made explicitly to declare, but at some other heresy, namely, Pythagoreanism or Orphicism ; and that we hear nothing of this in the *Apology*, because either Socrates himself did not meet the charge, or, if he did make an attempt to answer it, Plato suppressed from his record both the charge itself and the reply thereto (presumably on the ground that the defence was unsuccessful, and that the publicity of the alleged offence would be prejudicial to the memory of Socrates and to the activities of his surviving associates and Socratic schools of philosophy).

It is not suggested that devotion to Pythagoreanism-Orphicism would have been intrinsically disgraceful or even in the least reprehensible, according to the loftiest notions of religion and morality. It contained many doctrines breathing a noble and exalted idealism, which may well have interested Socrates ; it undoubtedly had a profound attraction for the imaginative poet-philosopher Plato, ardently devoted as he was to transcendental speculation, and was adopted by small circles of aristocratic Athenians. To the ordinary Athenian the Orphic-Pythagorean religion was suspect, and for various reasons. It had a foreign origin. It was not a national religion, but was open to all qualified votaries, so that it might involve a conflict between nationalism and "internationalism." It adopted a rigorous—almost ascetic—mode of life, required daily self-examination, and unquestioning submission to its tenets. It possessed secret rites connected with the doctrines of metempsychosis and immortality. The soul was deemed to be chained for punitive reasons to the body, which was its tomb (*σῶμα σῆμα*). Death was considered the gateway to a better life, and the emancipation (*λύσις*) of the soul from its bondage, attainable by expiratory purifications (*καθαρμοί*). The purged soul returned to the gods, whilst souls that were beyond redemption (*ἀνίατοι, ἀνήκεστοι*) remained for ever in the "slough" (*βόρβορος*). All these things were, intelligibly enough, distasteful

(*k*) 31 c–d : *τούτου δὲ αἴτιόν ἐστιν ὃ ὑμεῖς ἐμοῦ πολλάκις ἀκηκόατε πολλαχοῦ λέγοντος, ὅτι μοι θεῖόν τι καὶ δαιμόνιον γίγνεται (φωνή), ὃ δὴ καὶ ἐν τῇ γραφῇ ἐπικωμῳδῶν Μέλητος ἐγράψατο ·*

(*l*) Taylor, *Varia Socratica*, p. 9, *et passim*.

to Greek orthodoxy. The Pythagoreans, too, were thought to be hostile to democratic institutions—Pythagoras himself had joined the aristocratic party in Croton in Italy, and his doctrines were accepted in aristocratic quarters in various Italian cities.

In the view of Professor Taylor and Professor Burnet (*m*), much more of the Platonic philosophy is Socratic than is generally accepted as such, and a great deal of it is derived from Pythagorean sources. They are accordingly disposed to attribute Pythagoreanism to Socrates. It is more probable, however, that the doctrine of the soul as set forth in the *Phaedo* and the *Gorgias* (which expound ideas more or less similar to those just mentioned) is Plato's and not that of Socrates ; and we have already expressed our view that there is nothing in the *Apology* indicating that Socrates believed in a life after death. Even if he believed it, there is nothing whatever to show that he had been initiated in and had practised the Orphic-Pythagorean cult (*n*). The fact that Plato represents Socrates in the death scene in the *Phaedo* as being in the company of the Pythagoreans, Simmias and Cebes, does not necessarily prove that he had before held their religious faith, any more than a man's friendship with spiritualists proves that he is a spiritualist too.

Socrates' questioning spirit, his constant subjection of all beliefs and conceptions to the test of reason and dialectical analysis, his sturdy independence and originality, his life passed out-of-doors and openly before the public, his predominant interest in the problems of practical life, all make it highly improbable, apart from the absence of cogent evidence, that he bound himself to the Orphic-Pythagorean community and its strict discipline. Some of his doctrines and characteristics are more or less like those of the Pythagorean cult ; but it is impossible to infer from this that he belonged to the secret brotherhood. If a slight resemblance is to be admitted as sufficient, then we may equally well conclude that he was an Eleatic and also a Heraclitean. Indeed, his emphatic assertion in the *Apology* impliedly negatives his association with any secret sect : " If any man says that he ever learnt or heard anything from me in private, which every one else did

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(*m*) *Greek Philosophy*, p. 191 ; *The Socratic Doctrine of the Soul : A Lecture* (London, 1916).

(*n*) See R. Petrie, " Aristophanes and Socrates," in *Mind*, vol. xx. (1911), pp. 507–520 ; A. S. Ferguson, " The Impiety of Socrates," in *Classical Quarterly* (London), vol. vii. (1913), pp. 157 *seq.* ; G. C. Field, *Socrates and Plato* (Oxford, 1913). The present writer agrees, on the whole, with their criticisms of the theories of Professor Taylor and Professor Burnet.

not hear as well as he, be assured that he does not speak the truth " (*o*).

Furthermore, to profess Pythagoreanism did not necessarily render a man liable to criminal prosecution. We know that there were many Athenians who practised the cult with impunity; and there is no evidence whatever in any historic record that anyone was indicted and punished for it. We cannot agree, then, that this was the offence with which Socrates was charged; still less can we accept the view that had he really been charged with it he would have failed to answer it either affirmatively or negatively.

Knowing something of the character and disposition of Socrates —his invariable frankness and striking intrepidity in the face of danger, his unfaltering devotion to his cause, the object of which was more than anything else the dispassionate attainment of truth —we cannot but reject the view that Socrates would have shirked the issue, if there had been any other than that specified in the indictment as handed down to us. It is quite clear that Socrates unhesitatingly preferred death to the abandonment of his mission in Athens; when he could easily have escaped from prison and have continued to live honoured and loved by his friends, he calmly and deliberately elected to die rather than disobey the law. It is quite clear that he had no fear of death at all, and that he believed that for such a man as himself, who had never deliberately done harm to anyone, there was no need to fear death, and the next world if there were one. Unafraid of death, he was unafraid of avowing that which might lead to death. He was of the stuff of martyrs, and it was not his way to dissimulate his beliefs or hide his convictions. Had he really professed Pythagoreanism or practised the Orphic cult, and had he been accused thereof, we feel certain that he would have had sufficient courage to stand up to the prosecution and defend the faith that was in him (*p*). He was certainly not the man to stand by indifferently or timorously and allow his cherished convictions to be impugned without his making an attempt to defend and vindicate them. After all, it is character that determines conduct; in forming our presumptions and expectations of a man's attitude and conduct in given circumstances, we always consider his character; in the absence of evidence to the contrary, his character, disposition,

(*o*) *Apol.*, 33 b.
(*p*) Cf. Ferguson, *loc. cit.*

and doctrines must necessarily be our only guide, and an authoritative one.

And so far as Plato, too, is concerned we cannot believe that he would have suppressed any other issue, had there been such, to which Socrates had made reply. If Plato had been anxious to suppress from his account of the trial a charge of Pythagoreanism, he would certainly have suppressed also and with more reason and greater facility the account of Socrates' association with Pythagoreans during his imprisonment and his Pythagorean discussions with them. From the suggestion about Plato's concealing something from the narrative of the trial, it would seem as though he had written long after the death of Socrates, when, in view (shall we say) of a Socratic revivalist movement, he alone being in possession of the facts about Socrates was desirous of suppressing certain awkward things about him for reasons of expediency. On the contrary, Plato wrote the *Apology* and the other Socratic dialogues very soon after the death of Socrates; they were inspired by the cherished memory of the master, and they are imbued with his very spirit of earnestness, sincerity, and truth; and they were addressed to people, hundreds of whom had sat as judges at the trial, and thousands of whom had again and again talked over the wonderful events. It is not likely, therefore, that Plato would have committed such a piece of downright impudence and folly as to venture to present a report purporting to be an accurate account of what Socrates said in court, and yet omitting the most important part of all.

Moreover, there is a passage in the *Euthyphro* (*q*) which reiterates, in other circumstances, the statement attributed to Socrates in the *Apology*. Socrates is represented as meeting Euthyphro, the Athenian soothsayer, and tells him that Meletus has just laid an indictment against him. "*Soc.*: He brings a wonderful accusation against me, which at first hearing excites surprise; he says that I am a maker of gods, and that I make new gods, and do not believe in the old ones; this is the ground of his indictment. *Euth.*: I understand, Socrates; he means to attack you about the familiar sign which occasionally, as you say, comes to you. He thinks that you make innovations in religion, and he is going to have you up before the court for this. He knows that such a charge is readily received by the world." Now this work was written some three or four years perhaps after the death of

(*q*) 3 b, c (Jowett's trans. slightly modified).

Socrates, and Plato, with a vivid recollection of the charge of that year 399 and of what took place then, puts deliberately into the mouth of Socrates words indicating the substance of the formal indictment, and into the mouth of Euthyphro words showing what this formal indictment really involved. It would have been morally and intellectually impossible for Plato to travesty the charge and what it aimed at, especially so at that date, when the memory of the year 399 was so fresh in people's minds. The community whom Plato addressed was confined to a very small area, where every citizen knew almost every other citizen, where conversation in the agora on the events of the day and on recent happenings was part of the daily life of thousands of people. Plato was not then addressing a few scattered groups of people in some illimitable Sahara, where there was little intercourse and communication and where it might be possible for an unconscionable distorter of truth to foist misrepresentations on an unsuspecting audience incapable of verifying them.

Xenophon, too, who was admittedly an honourable and straightforward man, even if he was not a profound philosopher, states that according to all appearances Socrates' accusers derived the charge of introducing new deities from the fact that Socrates used to speak of his daemonium, and used to say that he received guidance from it (*r*). Now Xenophon was also addressing a public, many of whom had first-hand knowledge of the things he wrote about. Even supposing that Xenophon's testimony is not in every particular independent of Plato's, he at all events substantially confirms Plato's throughout. Had there been something other than the daemonium as the ground of this part of the accusation, Xenophon, like Plato, could not have coolly set it aside, and attempted to " bamboozle " people who knew the facts as well as he did, and many of them knew them better than he did. We have to bear in mind also that Xenophon's writing was a contribution to a serious controversy concerning the offences that had been imputed to Socrates, and it was Xenophon's intention to rectify some of the defamatory statements that were put in circulation, for example, by such pamphlets as that of Polycrates.

But Professor Taylor asserts that Xenophon's statement is false ; and also that " Xenophon is uncandid if he intends to put it forward as a suggestion coming from himself " (*s*). Whether

(*r*) *Mem.* i. 1. 2.
(*s*) *Varia Socratica*, p. 10.

Professor Taylor can clearly establish such lack of candour by anything more than surmises and hypotheses we do not know; and he chooses to be guided by the grotesque misrepresentations of the comedian Aristophanes (*t*), rather than accept the statements of the serious historian Xenophon. The essential point here is, however, not whether the suggestion originates from Xenophon's own first-hand knowledge, but whether his statement is true or not. Now Professor Taylor proceeding to establish its falsity advances two propositions and arguments based on them. In the first place (he urges), Xenophon himself tells us that Socrates' belief in his divine voice stood on the same level with the belief of others in divination. Xenophon does not put it exactly in that way, though the difference is, it may be, a very small one; he holds that there was nothing newer or more novel in Socrates' consulting his daemonium than other people's consulting the various omens and auguries in their practice of divination. This is surely a reasonable statement, and it is difficult to see in what respect it obscures or shirks the truth. Xenophon realises, indeed, that it was the novelty and peculiarity of Socrates' daemonium that had aroused suspicion; but after all, he says, his daemonium was at bottom no stranger than, and scarcely different from, the prevailing practices of divination, so that Socrates' recourse to the divine sign may have been something novel ostensibly, but was not a religious innovation in reality; at all events it did not amount to an introduction into the State of new deities. In this way Xenophon endeavours to mitigate, if not to eliminate, the gravity of the charge.

Secondly, says Professor Taylor (*u*), according to Plato's *Apology* (*x*) nothing appears to be said about the "sign" in the speech of Meletus, so that it is presumable that it was not alluded to in the indictment. But Socrates distinctly states that Meletus in his indictment ridiculed the daemonium (*y*). That is to say, Socrates' consultation of his daemonic oracle did actually form part of the indictment. The fact that Socrates is not made to dwell fully on it does not prove that the daemonium was not the ground of the charge; and the fact that Socrates attributes his abstention from public life to the restraint imposed on him by his divine sign does not, surely, prove that the divine sign was not the object of attack in the accusation.

(*t*) See *supra*, chap. viii., especially at pp. 184 *seq.*, 198 *seq.*
(*u*) *Varia Socratica*, p. 11.
(*x*) 31 c.
(*y*) 31 c–d. See the text quoted on p. 282, n. (*k*).

Nor does Socrates, being under political suspicion, seek to remove such suspicion by holding out the daemonium as the cause of his abstention from political activities (*z*). He simply explains why he did not take part in public affairs, and how prejudice was thereby raised against him. Socrates, defending himself before his judges, says in effect: The prosecutors accuse me of introducing new gods. It is unjustifiable to make this charge against me on the ground that manifestations of the daemonium are vouchsafed to me. Moreover, some of the prejudice that has arisen against me is due to my having abstained from political affairs, though I admit that participation therein is usually the proper concern of a citizen. But my abstention was not due to my idleness or indifference to civic matters or disloyalty to my country; it was, on the contrary, imperatively demanded of me by the god, whose will was manifested to me through the agency of this "voice."

And it was Socrates' communion with this "voice" that was construed as impiety—religious innovation—by the accusers. It is most probable, if not certain, that they would not have brought a charge of impiety based on the same ground against anybody else; but Socrates was, as we have shown, a special object of aversion in the eyes of Anytus, the moving spirit and mainstay of the prosecution, and the would-be guardian of the "unmixed democracy." The true interpretation, then, seems to be that the daemonium had contributed greatly to the popular prejudice that had been engendered against Socrates, a prejudice (as we have already explained) that came to be increasingly intensified until it became a settled hostility, which culminated in the launching of the formal prosecution soon after the restoration of the democracy (*a*).

The accusers found in the daemonium of Socrates what they considered to be sufficient ground for an accusation of impiety; and, no doubt, they reasoned more or less in this way. This daemonium of Socrates' was of an internal, indeterminate character, and could not be related to the authorised deities. It was of a peculiar, indeed unparalleled, nature, for Socrates was the only man who claimed to have intercourse with it. By means of it Socrates declared that he had the power of immediate communion with the god, and that therefore he could dispense—and probably he did dispense—with the usually recognised means of

(*z*) *Varia Socratica*, pp. 11–14.
(*a*) See *supra*, chaps. vii., viii., and especially ix.

ascertaining the divine will. This singularity was an undesirable anomaly in such a city as Athens, where the State and the national religion were indissolubly united. Moreover, it was also a dangerous anomaly. Socrates' devotion to his life-long mission was stimulated and fostered by it; he rejected the obligations inseparably bound up with citizenship, he made mock of those who fulfilled such obligations, he showed an anti-democratic bent, and inculcated anti-democratic doctrines in others—so that this daemonium of his was not only an unauthorised religious innovation, but also a menace to the State. If every citizen were allowed to have recourse to such private and new-fangled oracles, discord would inevitably result, the national religion would be completely overthrown, and the treasured Athenian democracy, with its liberty and equality, would cease to exist. Hence—as Anytus and his colleagues must have reasoned—the daemonium was, from every point of view, an object deserving attack (*b*); that the only way to attack it was in a charge of irreligion; and that in such a charge a majority of the votes of the judges might confidently be counted on.

Accordingly, as Socrates openly admitted, his daemonium (τὸ δαιμόνιον)—which for him was a divine sign, a voice, that is a manifestation of the god, but not a god (*c*)—was an obvious target: it was very easy to give a slight twist to his expression and turn it into δαιμόνια, divinities—indeed, καινὰ δαιμόνια, new divinities—notwithstanding the fact that he never used the word as a substantive nor in the plural, meaning a divine being or beings. Thus, the very formulation of the charge was *ab initio* a sophistical proceeding on the part of the accusers (*d*).

How Socrates replied to this particular charge we do not know, for the *Apology* says very little about it. He may have simply adverted to it, pointing out the unjustifiable construction; or he may have passed it over altogether as being too absurd to answer, relying simply on the intelligence of the judges and on the publicity of his religious views and professions. It may well be that he believed that the dicasts could not possibly find him guilty of introducing new divinities into Athens, simply because he had made use of what might be described as a private oracle. They might perhaps not approve of his having recourse to such an

(*b*) See *supra*, chap. ix.; and cf. Ferguson, *loc. cit.*, pp. 174–175.
(*c*) See *supra*, chap. iv., pp. 88 *seq.*; and Socrates' argument in *Apol.* 26 c–27 e, *infra*, pp. 299 *seq.*
(*d*) Cf. Riddell, *The Apology of Plato*, p. xxii.

oracle, but they were not likely to say that such conduct on his part amounted to the introduction of new deities. Socrates might have urged that it was only a form of divination—a new form, granted—but, he could well have contended, the modes of divination were not specifically prescribed or limited by the legislation of the State, or by the pronouncement of any constituted religious authority ; nor was the practice of divination consigned exclusively to the care of the priesthood ; and he did not intend his particular method of divination to oust or interfere with the regular modes followed by the people. Moreover, though it may not have been argued by Socrates, he could have claimed that his divine sign did not emanate from some strange unrecognised deity, but it came only from the Delphic god. Of the reality of the voice to him and of its divine origin he gives various illustrations in the course of his address. One striking proof he offers to the judges, by assuring them that its warning to him not to enter public life was fully justified by experience : once when, contrary to one warning, he took part in public affairs in connection with the trials of the generals after the battle of Arginusae, and opposed the illegal proceedings of the Thirty, he would have lost his life but for the overthrow of the tyranny—and he added that many of the judges could bear witness to his words (*e*). It is also implied that as the " voice " had been so long familiar to the judges and all his fellow-citizens, and indeed had been tolerated by everybody throughout his life—since he had the sign from childhood (*f*) —it could not therefore have proved injurious to the State or to any citizen of the State.

Instead, then, of arguing these points fully, he merely refers to the sign (if we are to judge from the *Apology*) in connection with his mission and the duty imposed on him by divine will. The part of his defence dealing with his mission and his activities will be considered in the next chapter ; but for the present we may say that, so far as this part of the indictment is concerned, the little he is reported by Plato to have said is " an attempt to repel the charge of innovation by a plea of use and wont, the charge of privacy by a plea of general knowledge " (*g*).

(*e*) *Apol.* 32. Cf. *supra*, p. 62.
(*f*) *Apol.* 31 d.
(*g*) Ferguson, *loc. cit.*, p. 172. As to the general question whether Socrates' condemnation was just, see *infra*, chap. xx., which is intended as a supplement to this chapter.

CHAPTER XV

THE "OLD" ACCUSATION—CHARGE OF ATHEISM—VALIDITY OF THE DEFENCE

ψευδὴς διαβολὴ τὸν βίον λυμαίνεται.

(Menander.)

(False slander is an outrage on our life.)

· · · ἡ τῶν πολλῶν διαβολή τε καὶ φθόνος. ἃ δὴ πολλοὺς καὶ ἄλλους καὶ ἀγαθοὺς ἄνδρας ἤρηκεν.

(*Apol.* 28 a.)

(Prejudice and dislike of the many—this has condemned many other good men.)

(i.) *Charges of the "Old Accusers"—Prejudice against Socrates—Charge of Atheism at the Trial*

THE two counts of the indictment impugning on the one hand his religion, and on the other his morality, seemed to Socrates to be only a repetition in a formal manner of the charges that were made against him by the "old accusers" (οἱ πρῶτοι κατήγοροι), for example, the comic poets generally and Aristophanes particularly; and these charges were part and parcel of the prejudice (διαβολή) that had increasingly been aroused against him.

Now the charge of irreligion—indeed atheism—had also been directed against the physicists (for example, Anaxagoras (*a*) who was tried for impiety *c.* 430 B.C.), and the allegation of corrupting the youth was commonly made against the Sophists generally; so that, as we have seen, sections of the Athenian people carelessly—or maliciously—identified him with the class of scientists as well as with the class of sophistic teachers. Though the charge of atheism was not contained in the original indictment, and was made against him only in the course of the trial, Socrates, opening his defence, felt that he must first of all explain and clear himself of the imputations that had been cast on him by the first accusers, and that had come to be absorbed into the popular prejudice shown against him. In that way, he thought, he could show the origin of Meletus' accusation, and incidentally also offer to some extent a reply thereto, before addressing himself specifically to the counts of the indictment; but his main object was to

(*a*) See *supra*, p. 219.

endeavour to remove at the outset any bias against him that might exist in the minds of any of his judges as a result of the old and oft-repeated accusations and the popular rumour.

Socrates thus proceeds to explain and refute the old allegations and to show their relation to the present charges.

"First, I have to reply to the older charges and to my first accusers, and then I will go on to the later ones. For of old I have had many accusers, who have accused me falsely to you during many years; and I am more afraid of them than of Anytus and his associates, who are dangerous, too, in their own way. But far more dangerous are the others, who began when you were children, and took possession of your minds with their falsehoods, telling of one Socrates, a wise man, who speculated about the heaven above, and searched into the earth beneath, and made the worse appear the better cause (*b*). The disseminators of this tale are the accusers whom I dread; for their hearers are apt to fancy that such enquirers do not believe in the existence of the gods. And they are many, and their charges against me are of ancient date, and they made them in days when you were more impressionable than you are now—in childhood, or it may have been in youth—and the cause when heard went by default, for there was none to answer. And, hardest of all, I do not know and cannot tell the names of my accusers; unless in the chance case of a comic poet. All who from envy and malice have persuaded you —some of them having first convinced themselves—all this class of men are most difficult to deal with; for I cannot have them up here, and cross-examine them, and therefore I must simply fight with shadows in my own defence, and argue when there is no one who answers" (*c*).

The introduction of the expression "wise man" (*σοφὸς ἀνήρ*) in this passage was of course deliberate, as the immediate context shows. For Socrates emphatically repudiated the designation, which was frequently assigned first to the Ionic physicists, by reason of their recondite cosmological speculations, and then to the Sophists because of their claim to the possession of a wide range of knowledge and capacity to impart it; and owing to the ambitious and presumptuous pretensions of these natural philosophers and Sophists, the term came to be applied in a deprecatory sense, and was so used by detractors in regard to Socrates (*d*).

(*b*) *Apol.* 18 b': *ὡς ἔστι τις Σωκράτης σοφὸς ἀνήρ, τά τε μετέωρα φροντιστὴς καὶ τὰ ὑπὸ γῆς ἅπαντα ἀνεζητηκὼς καὶ τὸν ἥττω λόγον κρείττω ποιῶν.*

(*c*) *Ibid.*, 18 a–d.

(*d*) Cf. Riddell, *op. cit.*, pp. xxiii.–xxiv.

(There is, no doubt, also an ironical touch in Socrates' disclaimer: he probably meant to convey to his hearers that he was not really worthy of such a grand title as σοφός, which was, in its literal significance, more lofty than φιλόσοφος (implying a search after wisdom), but in reality and through derogatory associations, involved less pure aims, less sincere motives, together with conceit and pretentiousness.)

Socrates next pointed out that this old accusation, which encouraged Meletus to proceed against him, might be expressed briefly in this form, as though it were a formal indictment preferred by the old accusers; "Socrates is an evil-doer, and a curious person, who searches into things under the earth and in heaven, and he makes the worse appear the better cause; and he teaches the aforesaid doctrines to others." He reminded his judges that they themselves had heard the very things attributed to him in the theatre in the *Clouds* of Aristophanes (*e*): in that comedy they saw him represented as suspended in a basket, saying that he was treading on air, and uttering many other follies about matters of which he understood nothing. He assured them that he did not say this to disparage natural philosophy, and he would be sorry if Meletus could also lay that to his charge; he was only anxious to make it clear that he had nothing whatever to do with cosmological investigations. Having emphasised this he appealed to the judges themselves and asked them to answer openly and at once whether they had ever known him to converse at all about such matters. To his question a number of the judges appear to have replied in the negative, confirming, as witnesses, his declaration. Whereupon Socrates added that there was just as little truth in the remaining imputations of the old accusers (*f*).

Socrates then reminded his judges of a common mistake that people unconsciously fall into, and then draw all sorts of fallacious conclusions. He told his hearers that they might naturally think there must be something strange about him to make possible all this prejudice and unfavourable rumour. He begged therefore to explain how he had acquired his reputation for wisdom. It was purely human wisdom, which could be attained also by other men; it was not any kind of supernatural wisdom which detractors thought he claimed. He first of all assured the judges that he was not jesting, and that he was telling them the whole truth; the accuracy of his statement could be confirmed by the best pos-

(*e*) See *supra*, chap. viii., pp. 182 *seq.*
(*f*) *Apol.* 19 b–d.

sible evidence, which anyone could easily procure at Delphi. " . . . The word which I will speak is not mine," he observed. " I will refer you to a witness who is worthy of credit ; that witness shall be the god of Delphi—he will tell you about my wisdom, if I have any, and of what sort it is " (*g*). Then he went on to tell them of the question put to the oracle at Delphi by the impulsive Chaerephon, who was well known to them, and of the answer that no man was wiser than Socrates. But knowing that he did not really possess any wisdom, and that the god could not lie, he told them of his life-long intellectual pilgrimage in vindication of the oracle—how he went about searching for a man wiser than himself among the politicians, the poets, and the artisans, but found everywhere pretence to wisdom and not wisdom. Therefore he concluded that he was wiser than the others, in that he knew he was not wise, whilst they did not know they were not wise (*h*).

" This inquisition," he added, " has led to my having many enemies of the worst and most dangerous kind, and has given occasion also to many calumnies. And I am called wise, for my hearers always imagine that I myself possess the wisdom which I find wanting in others ; but the truth is, O men of Athens, that God only is wise, and by his answer he intends to show that the wisdom of men is worth little or nothing ; he is not speaking of Socrates, he is only using my name by way of illustration, as if he said, He, O men, is the wisest, who, like Socrates, knows that his wisdom is in truth worth nothing. And so I go about the world, obedient to the god, and search and make inquiry into the wisdom of anyone, whether citizen or stranger, who appears to be wise ; and if he is not wise, then in vindication of the oracle I show him that he is not wise " (*i*).

Socrates went on to say that the enmity aroused by his exposure of ignorance and pretence in his cross-examination of those who claimed to possess knowledge became naturally intensified when his method of inquiry was imitated by some younger men of the richer classes (as they had sufficient leisure and culture to do so). Those who were questioned by them exclaimed against the abominable Socrates, the instigator and corrupter of the youth.

" . . . If somebody asks them, why, what evil does he practise or teach ? they do not know, and cannot tell ; but in order that

(*g*) 20 e.
(*h*) 20 c–22 e. Cf. *supra*, chap. ii., pp. 43 *seq.*
(*i*) 23 a–b.

they may not appear to be at a loss, they repeat the ready-made charges which are used against all philosophers about teaching things up in the clouds and under the earth, and having no gods, and making the worse appear the better cause; for they do not like to confess that their pretence of knowledge has been detected —which is the truth; and as they are numerous and ambitious and energetic, and are drawn up in battle array and have persuasive tongues, they have filled your ears with their loud and inveterate calumnies. And this is the reason why my three accusers, Meletus and Anytus and Lycon, have set upon me; Meletus, who has a quarrel with me on behalf of the poets; Anytus on behalf of the craftsmen and politicians (*k*); Lycon, on behalf of the rhetoricians: and, as I said at the beginning, I cannot expect to get rid of such a mass of calumny all in a moment. And this, O men of Athens, is the truth and the whole truth; I have concealed nothing, I have dissembled nothing" (*l*).

Obviously Socrates' pilgrimage to which he referred had a much wider significance than he attributed to it in his address to the judges. What he said then was perfectly true in spirit; but he was hardly called upon then and there to show that it was his mission to bring about an intellectual revolution, and consequently—in his view—also a moral revolution, by first exposing the ignorance, the pretended knowledge, the self-deception of his countrymen, and then inculcating a sounder method of inquiry for the attainment of truth and a truer and better attitude to their fellow-creatures for the attainment of virtue (*m*). An explanation of this kind, involving such an ambitious—to the minds of his hearers also a presumptuous—claim, would undoubtedly have been deeply resented by the large assembly of dicasts, and their animosity and prejudice against him would have been intensified. As Riddell says:

"The representation of the oracle as giving him the first suggestion of his crusade against fictitious knowledge, as having throughout been the lodestar to which he shaped his course, and as having sustained him in the thankless labour of years, is unhistorical; but Socrates employs it in the exposition of his antecedents in a semi-rhetorical spirit, to bring the audience a certain distance on

(*k*) It seems pretty certain that he appeared also on behalf of the politicians, though some texts omit the words καὶ τῶν πολιτικῶν.

(*l*) 23 d–24 a.

(*m*) See *supra*, chaps. v. and vi.

their way without the offence which a direct avowal of his purpose would have aroused in their minds " (*n*).

In endeavouring to explain and justify his mission and to combat the resulting prejudice against him, Socrates soon realised that, do and say what he might, his difficulty would be well-nigh insuperable, because many of the judges all the time took him for an importunate questioner, an idle talker, a busybody " enlightener," and a companion of aristocratic young men, and so jumped to unfavourable conclusions in spite of themselves.

Moreover, the very fact of mentioning the oracle of Delphi as being responsible for his unceasing tour of investigation and of his consequent penury was hardly calculated to gain the good will of Athenians. " For very sufficient reasons," says Professor Burnet, " the Delphic oracle was an object of suspicion at Athens, and when Euripides exhibits it in an unfavourable light, he only reflects the feelings of his audience. It is incredible that any Athenian should have thought it worth while to make the smallest sacrifice in defence of an institution which had distinguished itself by its pro-Persian and pro-Spartan leanings, or that Socrates should have hoped to conciliate his judges by stating that he had ruined himself in such a cause " (*o*). The judges ought to have perceived, therefore, that Socrates was less anxious to conciliate them than to tell the truth, even if his avowal might be detrimental to his position as a pleader before them. To explain thus his consecration to his life-long task, a task that was manifestly performed with entirely disinterested and unselfish motives, indeed with constant self-sacrifice, and was begun under divine auspices, showed therefore his piety to the god on the one hand, and accounted for his conduct in general on the other hand ; and so, to that extent, it was a fair and reasonable defence. It was also a defence that was put forward seriously ; it was not (as Professor Burnet would have it) " a humorous way of stating the case,"—Socrates himself emphasises the point, and the context shows that he is neither joking nor indulging in his irony (*p*).

Turning to the present accusers, Socrates dealt with their charges, namely, corruption of the youth, not believing in the gods of the State and introducing new deities of his own. The question of corrupting the youth will be considered in the next chapter ; and the latter charge has already been considered. But

(*n*) *Op. cit.*, p. xvi. Cf. *ibid.*, p. xxvi.
(*o*) *The Socratic Doctrine of the Soul: A Lecture* (London, 1916), p. 9.
(*p*) *Apol.* 20 d–e.

in Socrates' cross-examination of Meletus, the latter accused him of atheism. Now some writers have doubted whether he did actually do so, and others have expressed surprise that he should have done so, if he really did. On the contrary, it is not surprising at all; to jump to such a conclusion was by no means peculiar to the mentality of Meletus.

The imputation of atheism was a favourite weapon in ancient controversy (*q*), as it has been in modern. We know in our own time the tendency of many people to take the part for the whole, and so, for example, to describe as atheists not only agnostics and sceptics, but also socialists, anarchists, communists, and the like. In antiquity Xenophanes, who only rejected the gods of the prevailing religion and did not deny the existence of a supreme divinity, was considered an atheist; similarly in the case of Protagoras, who merely said that he had no knowledge that could justify him in either asserting or denying the existence of the gods (*r*); and also in that of Prodicus, another Sophist, who was opposed to the generally accepted religion. The early Christians, too, were called atheists by the Romans (*s*), probably because they refused to worship a multiplicity of gods. We may add here that Critias, the leader of the Thirty, had also been called an atheist (*t*); in the year 399 in the days of liberated democracy, recollections of Critias, who had for a short time been an associate of Socrates, were bound to increase the prejudice against the latter at his trial for impiety.

Moreover, the old physicists generally were deemed to be atheists, because some of them held that such heavenly bodies as the sun and the moon were not divinities but material substances, and because they tried to explain the phenomena of the universe by attributing them to natural causes, and sometimes by applying the principle of evolution. But an imaginative, emotional, and religious people (superstitious, if the word is preferred) given to δεισιδαιμονία (fear of the gods, superstitious awe) such as the Greeks were, could not but be instinctively averse from such theories as involved a mechanical or material, instead of a supernatural, explanation of the things and processes of nature; and to propound such views was considered an offence against the national religion and the guardian deities, and therefore also

(*q*) Cf. A. C. Pearson, "Greek Atheism," in *Encyclopædia of Religion and Ethics*, vol. ii., p. 184.
(*r*) Diog. Laert. ix. 51. Cf. *supra*, p. 219.
(*s*) Cf. Gibbon, ed. J. B. Bury (London, 1896), vol. ii., pp. 75 *seq.*
(*t*) Sextus, *Math.* ix. 54.

against the law of the State. Thus Anaxagoras was indicted for impiety because he taught that the sun was a stone (*u*).

Now we have already seen that Socrates was in early manhood interested in the natural philosophy of the Ionian school, and that he then studied first a work of Anaxagoras (who had introduced Ionian science into Athens soon after the Persian wars), and then the doctrines of the latter's disciple and successor, Archelaus; and that his interest soon ceased in their physical speculations, which he found useless and barren (*x*). Socrates was known, no doubt, by some of his contemporaries to have been associated with Archelaus, and to have at one time studied physical science; besides he must have from time to time said so himself, and explained why he abandoned it. But that made little difference to numbers of his fellow-citizens. Aristophanes, as we have seen (*y*), had identified Socrates with Anaxagoras (or was it Archelaus?), and many people in Athens did the same. But Anaxagoras was an atheist; therefore Socrates, who had once pursued the same investigations as Anaxagoras had done, must also be an atheist. Logic is not a strong point of emotional people given to superstition. No wonder, then, that Meletus was so ready before the judges to accuse Socrates of atheism.

In the course of the cross-examination of Meletus as to how Socrates had corrupted the youth (*z*), Meletus replied emphatically that he did so by teaching them not to acknowledge the gods whom the State acknowledged, but some other new divinities (ἕτερα δὲ δαιμόνια καινά). This imputation led Socrates to subject Meletus to the following cross-examination :—

"*Soc.*: Then, Meletus, by the gods, of whom we are speaking, tell me and the court, in somewhat plainer terms, what you mean! For I do not as yet understand whether you affirm that I teach other men to acknowledge some gods, and therefore that I do believe in gods, and am not an entire atheist—this you do not lay to my charge,—but only you say that they are not the same gods which the city recognises; the charge is that they are different gods. Or, do you mean that I am an atheist simply, and a teacher of atheism?

Mel.: I mean the latter—that you are a complete atheist.

Soc.: What an extraordinary statement! Why do you think

(*u*) *Supra*, p. 219. Cf. Burnet, *Greek Philosophy*, p. 81.
(*x*) See *supra*, p. 38.
(*y*) *Supra*, chap. viii., especially pp. 185 *seq.*
(*z*) *Apol.* 26 b *seq.*

so, Meletus ? Do you mean that I do not believe in the godhead of the sun or the moon, like other men ?

Mel.: I assure you, judges, that he does not, for he says that the sun is stone, and the moon earth.

Soc.: Friend Meletus, you think that you are accusing Anaxagoras ; and you have but a bad opinion of the judges, if you fancy them illiterate to such a degree as not to know that these doctrines are found in the books of Anaxagoras the Clazomenian, which are full of them. And so, forsooth, the youth are said to be taught them by Socrates, when there are not infrequently exhibitions of them at the theatre (*a*) (price of admission one drachma at the most) ; and they might pay their money, and laugh at Socrates if he pretends to father these extraordinary views. And so, Meletus, you really think that I do not believe in any god ?

Mel.: I swear by Zeus that you believe absolutely in none at all.

Soc.: Nobody will believe you, Meletus, and I am pretty sure that you do not believe yourself. I cannot help thinking, men of Athens, that Meletus is reckless and impudent, and that he has written this indictment in a spirit of mere wantonness and youthful bravado. Has he not compounded a riddle, thinking to try me ? He said to himself : I shall see whether the wise Socrates will discover my facetious contradiction, or whether I shall be able to deceive him and the rest of them. For he certainly does appear to me to contradict himself in the indictment as much as if he said that Socrates is guilty of not believing in the gods, and yet of believing in them—but this is not like a person who is in earnest.

I should like you, O men of Athens, to join me in examining what I conceive to be his inconsistency ; and do you, Meletus, answer. And I must remind the audience of my request that they would not make a disturbance if I speak in my accustomed manner.

Did ever man, Meletus, believe in the existence of human things, and not of human beings ? (I wish, men of Athens, that he would answer, and not be always trying to get up an interruption). Did ever any man believe in horsemanship, and not in horses ? or in flute-playing, and not in flute-players ? No, my

(*a*) This is no doubt an allusion to Aristophanes' *Clouds*, and probably also to Euripides, who gives expression here and there in his plays to the doctrines of Anaxagoras.

friend ; I will answer to you and to the court, as you refuse to answer for yourself. There is no man who ever did. But now please to answer the next question (*b*) : Can a man believe in spiritual things, and not in spirits ? (*c*). [Meletus at first refuses to answer the question, but being called upon by some of the judges to answer he does so with reluctance.]

Mel. : He cannot.

Soc. : How lucky I am to have extracted that answer, by the assistance of the court ! But then you swear in the indictment that I teach and believe in spiritual agencies, whether new or old ; at any rate, I believe in spiritual agencies, so you say and swear in the affidavit ; and yet if I believe in spiritual agencies, I must necessarily believe also in spirits—must I not ? [Meletus does not answer.] To be sure I must ; and therefore I may assume that your silence gives consent. Now what are spirits ? Are they not either gods or the sons of gods ?

Mel. : Certainly they are.

Soc. : But this is what I call the facetious riddle invented by you : the spirits are gods, and you say first that I do not believe in gods, and then again that I do believe in gods, since I believe in spirits. For if the spirits are the illegitimate children of gods, whether by the nymphs or by any other mothers, as is thought, what human being will ever believe that there are no gods if they are the children of gods ? You might as well affirm the existence of mules, and deny that of horses and asses. You must have indicted me in this manner, Meletus, either to test my skill or because you were at a loss as to what wrongdoing you could accuse me of. But no one who has a particle of understanding will ever be convinced by you that the same man can believe in spiritual and divine things, and yet not believe that there are spirits and gods " (*d*).

This is the famous cross-examination of Meletus, which has been adversely criticised by various writers ; but we shall see presently (*e*) whether and to what extent such criticism is justified. So far Socrates has endeavoured to show the existence of long-standing prejudice against him and its relation to the indictment.

(*b*) From here Jowett's translation is modified in a few places.

(*c*) ἔοθ' ὅστις δαιμόνια μεν νομίζει πράγματ' εἶναι, δαίμονας δὲ οὐ νομίζει.

(*d*) *Apol.* 26 c–27 e. The words μήτε ἥρωας (nor heroes), which in the texts usually follow μήτε δάιμονας μήτε θεοὺς (neither spirits nor gods), have been questioned by some scholars (for example, Prammer and Schanz) ; they certainly seem superfluous in this part of the passage. I may add that I have ventured to make a few other slight modifications in Jowett's version.

(*e*) See especially the following chapter.

He has tried to refute these imputations: first, that he did not recognise the gods of the State; secondly, that he introduced strange gods; thirdly, that he was an atheist. Speaking broadly, and assuming for the moment that the technical requirements of the law of evidence, whatever they were, were satisfied by him, we may say that he succeeded in showing the prevalence of hostility and prejudice against him, by adducing such representations of him as those of Aristophanes and the other poets of the Old Comedy, their influence on, or reflection of, the popular mind, and more particularly the relation of such prejudice to the attitude of Meletus and the other prosecutors. The prejudice of Meletus, it is presumed, was revealed almost immediately after his cross-examination began, by his abrupt allegation that Socrates was guilty of atheism; and this presumption is reinforced by the fact that the charge of atheism did not at all form part of the original accusation. Meletus simply blurted it out, because it was the sort of thing that had commonly been said and circulated about Socrates, and because he had himself already made up his mind about it.

Socrates was perfectly justified on grounds of jurisprudence as well as commonsense in trying to explain to the judges the circumstances in which the indictment was laid, and the general causes contributing thereto. For in that way he might make them see that he was brought into court owing to inveterate prejudice and spite which some people had against him, rather than on account of his commission of any specific offence. Indeed, he solemnly and confidently declared that should he perchance be condemned by the court, it would be the result of such prejudice and not through proof by the prosecution of his guilt.

"... As I was saying before, I certainly have many enemies, and this is what will cause my condemnation, if I am condemned, —not Meletus, or Anytus, but the prejudice and detraction of the multitude. This has been the destruction of many good men before me, and I think it will be so again; there is no danger of my being the last of them" (*f*).

The reference to the "old accusers" was also a delicate way of calling attention to the prepossessions of the judges themselves, and of making an appeal to them to decide the case on its merits, and with a clear, impartial mind. Tact obviously dictated that Socrates should not explicitly impugn or question the impartiality

(*f*) *Apol.* 28 a—b.

of the judges, for he was well aware how quickly their sympathies might be alienated. Another reason why he spoke guardedly of the " old accusers " was that he did not wish to emphasise more than he could help the fact that the prevailing public opinion was antagonistic to him : he knew his fellow-citizens, and he realised that such an admission of adverse public opinion would be at once interpreted by his hearers, however unreasonably, as a confession that there was after all something about his thought and his conduct that furnished grounds for the antagonism (*g*). Be this as it may, if he succeeded in establishing a presumption as to the existence of prejudice against him, it became clearly the duty of the court to examine the aspersions that were cast on him as a result of this prejudice, as well as to scrutinise all the more carefully the actual counts of the indictment, in order to make sure that they were definitely and positively proved in themselves by the prosecution before they found him guilty.

The charge that he did not recognise the gods of the State was probably not rebutted by him, if it meant all the usually acknowledged or official gods of the State. We certainly do not find anywhere in his speech, as recorded by Plato, a distinct declaration that he recognised the national deities in general : it is difficult to believe that he could have been orthodox to that extent. Nor do we find in Plato's account such observations as Xenophon made about Socrates, to the effect that he did practise the State religion ; but it does not, of course, follow that Socrates did not in fact say this in his address to the judges. If he omitted to do so, it is because in all likelihood he regarded the accusation with contempt, as it would seem from his remark that it did not need an elaborate defence to prove that he was not a wrongdoer within the meaning of Meletus' indictment, and that the little he had said was enough (*h*). No doubt he assumed that his life, which was spent in public—for the most part in the market-place and in the haunts of the palaestras—was known well enough to the judges. He ought not, strictly speaking, to have assumed this ; on the contrary he ought to have brought forward evidence of his orthodox observances in the practice of his religion. That he recognised some of the gods at least he was certainly able to establish, when he dealt with Meletus' interpretation of the indictment, if he did not do so in some other way. If Socrates could refute the allegation by his destructive cross-examination, he was

(*g*) Cf. Riddell, *op. cit.*, p. xv.
(*h*) *Apol.* 28 a.

not legally liable to be called upon to prove the contrary by other positive evidence; for the onus of proof was necessarily on the accuser, and we do not know whether in the course of the proceedings it was shifted to the accused.

The charge that he introduced strange gods he successfully refuted, if, as we have endeavoured to show, that meant his daemonium, and if it were conceded that recourse to his daemonium was substantially a means of divination, and that the divine sign was a manifestation of the will of one of the recognised gods of the State. If, however, this charge referred to divinities other than his daemonium, we do not find anywhere an express disavowal on the part of the defendant. But such an accusation would be really too vague to answer, and in any case we do not know whether Socrates in fact attempted to do so.

Lastly, the accusation that Socrates was even an atheist was not only contemptuously repudiated by him, but also entirely disproved, as a result, at all events, of the accuser's admission, which was an immediate inference too from one of the charges contained in the indictment, namely, that Socrates introduced new gods, that is to say, that belief in the daemonium inevitably implied acceptance of the deity (or deities) from whom the daemonium emanated. In any case, apart from Socrates' cross-questioning and probative argument, the abrupt charge of atheism was *ab initio* incompatible with the terms of the formal indictment as recited before the accused and before the judges; and in a properly constituted court acting under the presidency of a capable and authoritative judge, and following a fair and reasonable procedure, such a charge would have been at once eliminated, and the prosecutor would have been directed to confine himself to the charges before the court, and not compel the accused—whose time for setting forth his defence was strictly limited—to disprove an irrelevant accusation, an accusation that was suddenly sprung upon him. The charge, however, having been made and persisted in, apparently with the sanction of the court, Socrates was consequently obliged to deal with it; and although he completely refuted it, a good deal of his time was thus taken up, which would have been much more usefully employed in combating the actual charges of the indictment, of which we hear too little. Indeed, Socrates felt bound to protest that he had not enough time in which adequately to present his defence (*i*). Writers who believe that Socrates deliberately confused the issue and shirked

(*i*) *Apol.* 19 a, 37 a.

answering the real accusation could not have borne in mind this fact among various others that will presently be referred to.

Furthermore, Socrates' devout and unfaltering faith in the deity is revealed in other parts of his defence, which could not but convince a thinking and unbiassed audience. For example, speaking of his mission he stated in one place (*k*) that to hold conversation with others was a vocation imposed on him by the god, as he was assured by oracles, dreams, and in every way in which any man was ever commanded by divine power to do anything. He solemnly declared that he could not therefore discontinue this vocation, and he was fully prepared, if necessary, to lay down his life for it. Dropping all irony he observed with striking simplicity and earnestness :

" For wherever a man's place is, whether the place which he has chosen or that in which he has been placed by a commander, there he ought to remain in the hour of danger ; he should not think of death or of anything but of disgrace. And this, O men of Athens, is a true saying. Strange, indeed, would be my conduct, O men of Athens, if I who, when I was ordered by the generals whom you chose to command me at Potidaea and Amphipolis and Delium, remained where they placed me, like any other man, facing death ; if now, when, as I conceive and imagine, God orders me to fulfil the philosopher's mission of searching into myself and other men, I were to desert my post through fear of death, or any other fear ; that would indeed be strange, and I might justly be arraigned in court for denying the existence of the gods, if I disobeyed the oracle because I was afraid of death, fancying that I was wise when I was not wise " (*l*).

He proclaimed that if the judges offered him an acquittal on condition that he ceased his work of inquiry, he would refuse to accept it, because disobedience to God was manifestly evil and dishonourable, and therefore he would obey God rather than them (*m*). The dullest of judges must have perceived clearly that if Socrates was unhesitatingly prepared to die rather than disobey the Deity, he must have recognised and believed in him, so that the charge of atheism should have seemed to them more absurd than ever. We have no means of judging, however, how many of the judges were convinced by Socrates' arguments and declarations on this score, and how many accepted the statements of Meletus.

(*k*) 33 c.
(*l*) 28 d–29 a.
(*m*) 29 c–d.

(ii.) *Validity of the Defence against the Charge of Impiety*

It has been suggested by several writers—sometimes indeed asserted off-hand—that the portion of Socrates' defence relating to the charge of impiety is in part weak and in part untenable. Some such pronouncements as the following are made about it: that Socrates deliberately practised evasion, and dragged a red herring (perhaps more than one ?) before the eyes of the judges; that he could not produce any evidence in support of his contentions; that he resorted to various forensic tricks in order to mislead the court; that his cross-examination of Meletus was unjustifiable, or, at any rate, that it was nothing more than a humorous interlude, brought in through lack of better material, and only intended to make the prosecutor look sheepish and show him up as another instance of ignorance and the conceit of knowledge.

In the first place, it is said that although Socrates urged that he was the victim of prejudice, he adduced no actual instance of such prejudice. We do not, of course, know from what records we have whether he brought forward any witnesses to corroborate his own words. But, apart from that, his reference to Aristophanes' representation of him in the *Clouds*, which was so notorious that judicial cognisance thereof might properly be taken without the actual production of extracts or persons who had witnessed the performance or read the play, was an indubitable corroboration of his claim.

Moreover, an example was actually brought forward in court in the person of the prosecutor himself. The questions put to Meletus show that he really did not comprehend the nature of his own accusation; his answers betrayed his own ignorance and prepossession, as well as the ignorance and prepossession of his class generally. Socrates felt bound to protest to the judges that he could not believe Meletus to be in earnest, because as soon as he began to answer the questions put to him he fell into self-contradiction. In the view, therefore, of Socrates, it was really Meletus who was the wrong-doer, inasmuch as he brought a charge without knowing what it really implied, and without knowing what he was talking about; indeed, it would seem as though Meletus only pretended to be zealous and concerned about things for which he probably never really cared at all (*n*), so that he could hardly be regarded as a genuine and *bona-fide* prosecutor,—rather as one

(*n*) *Apol.* 24 c, 26 b, 27 a.

who attacked Socrates merely out of malice, and probably because he had been instigated to do so for some consideration or other.

In these circumstances we may well imagine Socrates saying something like this to the court: Is there really any need for me to go into the details of my defence, to set forth before you an elaborate and systematic argument, and to fortify it by the evidence of witnesses, in order to dispel charges of a prosecutor who does not appear to know what they are, and when he tries to explain what he accuses me of does not know what he is talking about, because he is simply stirred up by, and giving expression to, the old and vague prejudices which I have shown to be groundless. And so, from the point of view of Socrates, Meletus and his accusations were effectually disposed of. Thus the cross-examination of Meletus served a double purpose—primarily to demonstrate the untenability of the accusation as interpreted at all events by the prosecutor, and secondarily, to show the judges an actual instance of the old prejudice and ignorance in regard to him, which, as he claimed, was responsible for this very trial. Accordingly Socrates proved what he had asserted at the outset of his speech—namely, the virtual dependence of the " second accusers " on the " first accusers " ; and thus his method of defence in that respect was justifiable, legally as well as logically (*o*).

Again, it has been said that the cross-examination of Meletus was nothing more than a recourse to various forensic makeshifts in order to nonplus him, and surprise him into " pushing his contention far beyond its original scope, thus affording an easy handle for attack ; the rest of the reply is made up of inconclusive linguistic and logical artifices " (*p*). This statement is so exaggerated as to be quite untenable. It is difficult to see what are the forensic makeshifts. From such a pronouncement it would seem as though Socrates made use of the rhetorical devices and argumentative stratagems employed by an experienced logographer or a forensic orator in speeches delivered before the Athenian jury. The fact is that Socrates had never appeared in a court of justice before—he himself so declared (*q*) (unless, of course, that statement was also part of his " customary irony "—the favourite resource of writers who find that the facts stated in the *Apology* do not easily fit their theories) ; and Socrates also expressly begged his judges to allow him to speak in his usual

(*o*) Cf. Ferguson, *loc. cit.*, pp. 170, 171.
(*p*) Gomperz, *op. cit.*, vol. ii., p. 85.
(*q*) *Apol.* 17 e.

manner, and reminded them that truth of substance was more important than correctness of style.

"For I am more than seventy years of age," he said, "and appearing now for the first time in a court of law, I am quite a stranger to the language of the place; and therefore I would have you regard me as if I were really a stranger, whom you would excuse if he spoke in his native tongue, and after the fashion of his country. Am I making an unfair request of you? Never mind the manner, which may or may not be good; but think only of the truth of my words, and give heed to that: let the speaker speak truly and the judge decide justly" (*r*).

All this is said in real earnest, and not in a humorous or ironical spirit. We know that Socrates was frequently ironical, and frequently whimsical; but to the minds of some writers every word of his was said playfully, or whimsically, or sarcastically, or ironically, or with his tongue in his cheek. It is really essential to protest and reiterate the protest against such a view, which has not infrequently led to fallacious interpretations and erroneous conclusions. Some commentators cannot see anything serious at all in the reported words of Socrates—as though he went far beyond any professional buffoon or jester. It is time that this misconception ceased. We know in our own day that as soon as a reputed wit or humorist opens his mouth many in the audience begin to roar with laughter, even when there is no ground for it at all and when the speaker is quite serious; and, what is more, they will not believe him to be serious however seriously he assures them that he is really and truly serious.

From such a description as that of Gomperz it would seem as though Socrates made use of tricks to conceal the truth, and to force the accuser to say things that were really contrary to the promptings of his intellect and his conscience, and contrary to what he had in the first instance been prepared to say. Now this writer (whose fine work, be it said, many readers have enjoyed) does not indicate what linguistic artifices Socrates is alleged to have resorted to. Probably he means what others (*s*) have also said: that Socrates craftily treated the word δαιμόνια ("spirits," "divine beings") of the indictment as if it had been δαιμόνια πράγματα (spiritual things, divine agencies). This is an entirely misleading description of Socrates' procedure: it is made to look as though Socrates surreptitiously and illegitimately wrested the

(*r*) 17 e–18 a.
(*s*) For example, Riddell, *op. cit.*, p. xxii.

single word δαιμόνια into the expression δαιμόνια πράγματα, and then based his argument on this sly distortion. He did not in fact do anything of the kind. As the extract we have given shows, Meletus replied at the very commencement of the cross-questioning on the charge of irreligion that Socrates was an atheist (*t*); he did not say this as a result of Socrates using the expression "divine things" for the purpose of distracting Meletus' attention for the time being, and putting him off the scent. This expression was only introduced later (*u*) for the simplest and most legitimate purpose imaginable, namely, to prove that if anyone believed in divine things, he inevitably believed too in the source or cause of divine things, that is, divine beings. Now Meletus could not but admit that Socrates believed in divine things (in some of them at least); therefore Socrates could not but infer—an inference that Meletus was unable to challenge—that he also and of necessity believed in divine beings, and so could not properly be called an atheist. We entirely fail to see that Socrates was "only returning Meletus' sophism upon himself" (*x*). The sophism of Meletus in accusing Socrates of introducing new "divine beings" on the strength of Socrates' frequent admission that he had recourse to a new "divine thing"—that is, the voice or sign—is obvious; but there is no sophism in Socrates' reasoning. Socrates, be it noted, did not force Meletus in any way into making the charge of atheism, and Socrates properly proceeded to deny it and even to disprove it, knowing full well that this was nothing more than a repetition of the old accusation.

The use made by Socrates of his customary method of cross-examining Meletus was perfectly lawful and justifiable on all grounds. He employed the best means that has yet been invented for the ascertainment of truth, and for the testing of the applicability and intrinsic worth of the testimony given by a witness, namely, searching cross-examination, whether it be called dialectical or not. Moreover, that happened to be the method to which Socrates had all his life been accustomed. He knew from his whole life's experience, as we know from the experience of our own and foreign courts of justice, that the best, simplest, clearest, and most effective way to get at the real truth in a particular issue, at what a person knows as distinguished from what he pretends to know and offers to say, is not by the delivery of

(*t*) At 26 c.
(*u*) At 27 c.
(*x*) Riddell, *op. cit.*, p. xxii.

random speeches and counter-speeches and replies and rejoinders, and so on, on the part of litigants and their witnesses, but by causing their evidence to be split up into small portions (that is, answers to carefully chosen and relevant questions), and so testing its validity and cogency bit by bit, and the relationship of the various bits to each other, as well as the competence and credit of the witness. And experience has shown that if a witness is truthful, sincere, and knows that of which he undertakes to offer evidence, he will invariably pass the test successfully, even though he may not be a fluent or impressive speaker. It is quite plain that Meletus was not such a witness ; the whole charge he made against Socrates was vague in his own mind, and probably was never clear to him either before the trial or after. We cannot blame Socrates, therefore, for not replying to the literal text of the accusation as read out at the beginning of the trial. For the charge as it stood in the indictment was vague and ambiguous, and Socrates adopted the proper plan of trying to ascertain what it meant, and he could only do so by searching into the mind of the accuser who was its author. Without doing this he could not enter into the merits of the question with him ; before one can enter into the merits of a question, it is obviously necessary to know first of all what is the exact question.

Besides, Socrates clearly gave Meletus an opportunity of choosing between two named alternatives—either unbelief in some gods or unbelief in all—and the prosecutor chose the latter alternative, not as a result of Socrates' questions on the matter but before the refutative cross-examination was begun. This is a very important point to be taken into account in estimating the legitimacy of the cross-examination and the purport of the replies that were given. But this point appears to have been entirely overlooked by those writers who have charged Socrates with using a captious and sophistical method in order to ensnare Meletus. The accused was justified in showing by the best method he could handle the nature of the charge, its vagueness, indefiniteness, and lack of self-consistency, as well as the incapacity of Meletus to substantiate it, and also his want of credit. It is therefore incorrect to say that Meletus was surprised into pushing his contention far beyond its original scope. He certainly pushed it beyond the scope of the accusation contained in the original indictment ; but he was not surprised into doing it ; he did it with his eyes open, and emphasised it before the court. He did not push the contention beyond what had been in his mind all the time. Meletus,

like many of his fellow-citizens who jumped to conclusions not warranted by the facts, had no doubt held the view before the trial that Socrates was an atheist; and he simply blurted it out, not as a result of a verbal trap laid by Socrates, but because it was and had been in his mind. What is more—and here is another consideration that seems to have escaped Gomperz and other critics—Meletus pointedly specified and reiterated certain things in order to support his allegation: namely, that Socrates had declared the sun to be stone and the moon earth. That he was and had been confusing Socrates with Anaxagoras shows all the more strikingly his absorption of the old prejudice that Socrates rightly complained of, and his incapacity as a witness and as a prosecutor; and further, the fact that he endeavoured to corroborate his allegation of Socrates' atheism by citing his alleged heresy appertaining to the sun and the moon proves that his charge of atheism was made deliberately, not unwittingly or inadvertently, and not as a result of seductive questions or a subtle process of cross-examination conducted by the defendant.

Socrates was not giving a model exhibition of a debate as a leader for the negative; he was on his trial for his life, and was defending himself against accusations the purport and tenability of which he was fully entitled to investigate with all the dialectical skill at his command. Had Meletus been simply surprised into enlarging his original accusation, he could easily have said that he did not mean it, and have insisted on his original charge; he was not an inarticulate peasant, he was a poet skilled and ready in expression, and no doubt was chosen by Anytus because of his capacity to sustain the indictment; and had he thoroughly and sincerely believed in the charge which he formulated and was to make good, he would not have failed so wretchedly in his attempt to substantiate it when Socrates asked him a few simple questions. To say that the charge "would have been pressed home by Meletus coherently enough if the latter had not been cross-examined by Socrates" (*y*) is, in the first place, a mere assumption without any basis in fact; secondly, it is scarcely warranted as an *ex post facto* conclusion in view of the mental confusion he betrayed when confronted with the simplest and most direct questions that could in the circumstances be asked; thirdly, it would seem from this remark as though Socrates ought to have submitted silently to the imputation of Meletus, that he ought

(*y*) Taylor, *Varia Socratica*, p. 9.

not to have tried to ascertain what the imputation meant, and that he ought to have abstained from testing his credit.

Again, if the indictment used the word *νομίζειν* in the sense of overt worship, and if Socrates deliberately used it in the sense of "to think" in order to entrap Meletus (as it has been suggested) (*z*), Meletus as a practised writer and as a man of intelligence would surely have detected the evasive construction thus put on such an important word, and would have insisted on what he regarded as its true signification. Besides, there were many judges in the large assembly who, even if they were not all Platos, were quite capable of perceiving such a dodge, and would certainly have interrupted Socrates, and this time with good cause. And had they so interrupted Socrates, or had they in any other way insisted on another interpretation of the word, Plato could not possibly have omitted such a striking incident from his narrative. But there is no hint or trace of such a thing. We cannot, therefore, accept the view that Socrates deliberately used the word *νομίζειν* in a sense different from that used by Meletus in order to confuse him: first, there is no evidence that the word had been used originally in a sense different from that taken by Socrates in his cross-examination; and secondly, we do not believe that, especially on this solemn occasion, Socrates would have resorted to shifts and subterfuges for the purpose of gaining a verbal victory over the prosecutor, and so defeating the application of the law, which he had always observed—more than once at the risk of death—and whose binding force he had always acknowledged, and had encouraged his friends and associates to acknowledge. Indeed, on one supreme occasion he actually preferred death to evading the operation of the law (*a*).

(*z*) Burnet, *Greek Philosophy*, p. 180.
(*a*) Cf. Plato, *Crito*.

CHAPTER XVI

CHARGE OF CORRUPTING THE YOUTH—DEFENCE

Τὰς πολεῖς (ἔφη) ἀπόλλυσθαι, ὅταν μὴ δύνωνται τοὺς φαύλους ἀπὸ τῶν σπουδαίων διακρίνειν.

(Antisthenes, *ap.* Diog. Laert.)

(States are in process of dissolution, when they cannot distinguish the good from the bad among their citizens.)

(i.) *Case for the Prosecution*

THE charge of corrupting the youth is more vague even than that of irreligion, and there are no extant records showing how it was maintained before the dicasts. In the speech of Socrates certain points are alluded to ; but the accusers must have mentioned various other matters to which there is no reference in his speech for the defence, and which must have carried weight with many of the judges. Were this not so, we should have to conclude that Socrates was condemned to death on a vague indictment which imputed to him no definite offence that was punishable with death. Despite the inveterate prejudice against Socrates, however, we cannot believe that a verdict was returned against him on no specified grounds at all, however inadequate they might have seemed to many.

We have already discussed in previous chapters (*a*) the nature and the causes of the hostility to Socrates, and we venture to surmise that many of the things there mentioned as having been said of him were brought up at the trial by the prosecutors—more or less conscientiously, no doubt—in order to convince the court that Socrates was a dangerous man, and that his influence on sections of the community—especially on impressionable young men of the richer classes—was a great peril to the State. In other words, specific allegations must have been put before the judges in order to elucidate and exemplify the implications of the formal indictment, so that they might be able to form an opinion as to whether the accusers' proposal of the death penalty was justifiable or not : they could not have been asked to give a decision on an ill-defined vacuous accusation.

Now the charge of corrupting the youth involved the imputa-

(*a*) Chaps. vii., viii., ix.

tion that Socrates was identified with the debased class of Sophists, who were associated in the popular mind with the perversion of young men by means of vicious teaching; just as the charge of impiety involved the imputation that he was identified with the heretical Ionian physicists, who were associated in the popular mind with atheism. And in the view of orthodox Athenians, just as unbelievers paved the way for disseminators of pernicious doctrines, so irreligion naturally led to anti-social immorality. Thus corruption of the youth appeared to be closely related to impiety. Owing to this connection, some writers have suggested that the charge of corrupting the youth was probably an allegation of a particular species of impiety, rather than a distinctive count in the indictment (*b*); another writer holds that, owing to insufficient information at our disposal in regard to this case, such a conclusion is not warranted (*c*). For our part we are disposed to accept the latter view, especially so as the two offences were closely related both in respect of their nature and in their effect on the body politic: an example is the case of Aspasia, who was accused in one indictment of both impiety and immorality (*d*). Moreover, it was not incompatible with Athenian practice to include in one indictment two distinct offences; the administration of criminal law by the Athenians was not fettered by technicalities or hard and fast regulations; it was, on the contrary, readily adaptable to circumstances as they arose, and was much too flexible to be unduly concerned with fine distinctions; it was more of the nature, it may be said, of an *ad hoc* application of broad principles according to the merits of each case.

That Socrates was impeached as a Sophist who imparted harmful teaching to young men is clear from his reference to the "old accusers" who had charged him with the same offence, namely, making the worse appear the better cause (*e*). We have already quoted passages from the *Meno*, in which Anytus is made to appear and where he bursts out against the poisonous horde of Sophists: "they are a manifest pest," he exclaims, "and a corrupting influence to those who have to do with them" (*f*). To these objects of his aversion he came to assimilate Socrates.

(*b*) Cf. Schanz, *op. cit.*, pp. 12 *seq.*; Lipsius-Meier-Schömann, *op. cit.*, p. 363.
(*c*) A. Menzel, *loc. cit.*, p. 25.
(*d*) Plut., *Pericl.* 32.
(*e*) Cf. the attack of Aristophanes, *supra*, chap. viii., and also p. 172.
(*f*) *Meno*, 91–92; see *supra*, p. 209.

Accordingly in the course of his speech for the prosecution (*g*) he asserted, in all likelihood, that Socrates practised sophistry, pretending to make his companions wise, but really perverting them by inducing them to abandon their old ways consecrated by custom and tradition, and to accept instead new, capricious, individualistic notions, for example, that self-interest was the criterion of right, that they should think and decide for themselves rather than bow to established authority. Such teaching thus unsettled their convictions (*h*), disturbed the ordinary tenor of their lives, created disharmony in their families, and so tended to disintegrate society and destroy the State.

Anytus and his class were opponents of the new culture, and so they attributed to it a far greater pernicious influence than could reasonably be ascribed to it. They imagined that it was responsible for the conduct of inflammatory demagogues as much as to the intrigues of anti-democratic oligarchs. In support of his view Anytus could, indeed, point to certain resemblances between Socrates and the Sophists ; for example, their concern only with human affairs and common topics of ethical and political import, their scepticism, their free and fearless investigation carried on even in public places, their cross-questioning method and insistence on precise definitions, their overthrow of those who conversed with them and tried to maintain certain positions, their negative results, their want of definite convictions, the humorous and ironical vein of Socrates which was like the raillery of the Sophists, their argumentative subtlety, their change of front in their arguments and readiness to disprove either their collocutors' affirmative or negative, and so on (*i*).

Further, Meletus—if not his colleague—insisted that Socrates taught his pupils not to recognise the gods whom the State acknowledged, but some other new deities in their place (*k*). Anytus certainly maintained that Socrates induced sons to despise or disobey their parents, and to follow him rather than them in matters of wisdom ; and this charge he must have sought to corroborate by mentioning his own son as an example who,

(*g*) The points in the case for the prosecution as here suggested are intended to supplement our conjectured reconstruction of the outlines of the speech given in chap. xiii., pp. 266 *seq.*

(*h*) According to Hegel, *History of Philosophy*, vol. i., pp. 437 *seq.*, corruption of the youth implied that Socrates had disturbed the convictions of young men by teaching them to set aside authority, and think and decide for themselves. This point was no doubt involved, but in itself it would have been, in our view, insufficient ; it was only one among many complaints.

(*i*) See *supra*, p. 172.

(*k*) *Apol.* 26 b.

through Socrates' interference, had refused to follow the occupation marked out for him by paternal care (*l*). The disobedience of Anytus' son must have played an important part in the prosecution; it was in the first place a contributory cause of Anytus' hostility to Socrates and hence of his commencing the proceedings against him; and secondly at the trial the mention of it by Anytus was no doubt taken by some judges as evidence against the accused. Thus we read in Xenophon's *Apology* that Socrates, seeing Anytus pass by some time after the condemnation, remarked: "How proudly the great man steps; he thinks, no doubt, he has performed some great and noble deed in putting me to death, and all because, believing him to be worthy of the highest honours in the State, I told him it ill became him to bring up his son in a tan-yard" (*m*).

Xenophon thus expresses the allegation of the "accuser" that Socrates encouraged filial impiety (*n*): "Socrates taught sons to pour contumely on their fathers by persuading his young friends that he could make them wiser than their sires, or by pointing out that the law allowed a son to sue his father for aberration of mind, and to imprison him, which legal ordinance he put in evidence to prove that it might be well for the wiser to imprison the more ignorant" (*o*). This charge seems to bear some relation to the old misrepresentation of Socrates made by Aristophanes. We have already seen that in the *Clouds* Phidippides disobeys his father Strepsiades, and, when the father protests, cudgels him; that, in a set disputation between them, the son proves that he is justified in beating his father and, if occasion arise, his mother too (*p*).

Again, the prosecution very probably maintained that Socrates caused the youth to despise not only their fathers, but also their kith and kin in general when they did not possess true knowledge.

"But (alleged his accuser) it was not only their fathers but their other relations too whom Socrates dishonoured in the eyes of his companions, by saying that invalids and litigants do not derive benefit from their relatives, but from their doctor or their legal adviser. Also concerning friends he asserted that their good

(*l*) See *supra*, pp. 208–209.

(*m*) Xen., *Apol.* 28.

(*n*) It has already been pointed out that this mention of the "accuser" does not necessarily refer to either Anytus or his colleagues, but perhaps to Polycrates, whose pamphlet, however, may have embodied the arguments and complaints that Anytus brought forward at the trial. The word *may*, of course, have referred to the prosecution, but there is no certainty. See *supra*, pp. 270–271.

(*o*) *Mem.* i. 2. 49. Cf. Xen., *Apol.* 20.

(*p*) See *supra*, p. 179, and the attack of Aristophanes generally, pp. 171 *seq.*

disposition was worthless, unless they could be of some practical use to us ; only those were worthy of honour who combined with the knowledge of what was right the power to explain it ; and so by inducing the young to regard him as the wisest of mankind, and the most capable of making others wise also, he had such an effect on those who consorted with him that in their esteem the rest of the world counted for nothing by comparison with Socrates " (*q*).

Questionable verses from the poets were alleged to have been quoted by Socrates for the purpose of influencing his pupils : " But (pursues the accuser) by carefully culling the most immoral passages of the most famous poets, and using them as evidence, he taught his associates to be evildoers and tyrannical ; the line of Hesiod (*r*) for instance—

> No work is a disgrace ; slackness of work is the disgrace

—interpreted (says the accuser) by Socrates as if the poet enjoined upon us to abstain from no work wicked or ignoble ; do everything for the sake of gain " (*s*). The following lines of Homer (*t*) concerning Odysseus were said to have been interpreted by Socrates " as though the poet approved the giving of blows to commoners and poor folk " :

> " What prince, or man of name,
> He found flight-giv'n, he would restrain with words of gentlest blame :
> ' Good sir, it fits not you to fly, or fare as one afraid,
> You shall not only stay yourself, but see the people stayed.'
> . . . . . .
> Thus he the best sort us'd ; the worst, whose spirits brake out in noise,
> He cudgell'd with his sceptre, chid, and said, ' Stay, wretch, be still,
> And hear thy betters ; thou art base, and both in power and skill
> Poor and unworthy, without name in counsel or in war,
> We must not all be kings.' " (*u*).

Particular stress was very probably laid on the political aspects of the accusation. Thus Socrates was always decrying existing democratic institutions and criticising statesmen, but himself abstaining throughout from political affairs—the proper concern

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(*q*) *Mem.* i. 2. 51–52.
(*r*) *Works and Days*, 309 : Ἔργον δ' οὐδὲν ὄνειδος.
(*s*) *Mem.* i. 2. 56. Cf. Plato, *Charm.* 163 c.
(*t*) *Iliad*, ii. 188 *seq.*, 199 *seq.* (Chapman's translation).
(*u*) *Mem.* i. 2. 58–59.

of a free citizen. He evidently disdained democracy and favoured tyranny. He frequently assailed the essentially democratic system of electing magistrates by lot. Xenophon cites the "accuser" also on this point:

"Socrates caused his associates to despise the established laws by dwelling on the folly of appointing public officials by lot, when no one would care to select by lot a pilot, or builder or flute-player or any other craftsman for work in which a mistake would be far less disastrous than in political administration. Words like these, argued the accuser, tended to incite the young to despise the established constitution, and rendered them violent" (*x*).

If Socrates was accused of despising the tradesmen who thronged the Ecclesia, the charge is borne out by Xenophon's representing him as encouraging Charmides not to be timid and bashful before such dunces and weaklings. "Is it the fullers who make you ashamed, or the cobblers, or the carpenters, or the smiths, or the farmers, or the merchants, or the hucksters of the market-place who think of nothing but buying cheap and selling dear? For these are the kinds of people who compose the assembly" (*y*).

Finally, one of the most telling of all the arguments in the case for the prosecution was the reference—obviously inevitable—to the peccant associates and friends of Socrates: the insolent, incontinent, and high-handed Alcibiades (*z*), who was concerned in the never-to-be-forgotten mutilation of the Hermae and the profanation of the sacred mysteries, and who betrayed his country to a foreign State; Critias, the most terrible and the most bloodthirsty of the Thirty Tyrants, in whose overthrow the prosecutor Anytus had played such a conspicuous part (we can imagine Meletus and Lycon—if Anytus himself was too modest—emphasising his glorious and patriotic achievement, and the loss of his fortune for his city's sake); Charmides, another of the hated Thirty; Xenophon, who esteemed Spartan institutions more then Athenian, and who at the very time of the trial was under sentence of banishment because of his intimacy with Cyrus, the

(*x*) *Mem.* i. 2. 9.
(*y*) iii. 7. 6. Cf. Plato, *Protag.* 319 c.
(*z*) It has been contended that reference to Alcibiades, Critias, and Charmides could not openly be made in court on account of the Act of Amnesty, which was passed after the fall of the Thirty and the restoration of the democracy. It is difficult, however, to accept the view that it was forbidden to mention the old association of Socrates with those men by way of illustrating his alleged injurious influence on young men that continued to be exercised for several years after the restoration of the democracy.

friend of Sparta ; and so on. For the errors and misdeeds of all these Socrates was blamed ; the idea of vicarious responsibility was in those days much more deeply rooted than it is now.

(ii.) *Case for the Defence*

In this part of the case, too, it is necessary to point out at once that, if we are to judge only from the contents of Plato's *Apology*, the arguments advanced by Socrates to refute the charge of corrupting the youth were very few and general. Accordingly, by means of observations of Xenophon, together with what we know to have been the Socratic doctrine, we have briefly reconstructed such a defence as we think might well have been made by him.

In presenting his reply, then, to the above charges Socrates endeavoured first of all to dispel the imputation that he practised Sophistry, or that he was identified with the Sophists who, as it was thought, were prepared to teach their pupils how to make the worse appear the better reason : the imputation was, like that of irreligion, partly a relic and partly a reiteration of the charges of the " old accusers." He would, no doubt, admit that there were various points of resemblance between himself and the professional Sophists, but he would invite the judges to use their discrimination and not jump to conclusions on the basis of a superficial likeness ; for he would indicate a number of vital points of difference which would, to the mind of any reasonable man, altogether override the few deceiving points of similarity.

He declared, in the first place, that though he was always conversing with the citizens, he never taught anyone privately ; if any person, young or old, citizen or stranger, desired to hear him speak and pursue his mission, he never offered the least objection ; and no man ever learnt or heard anything from him in private which everybody else did not hear as well (*a*). He denied, and emphatically repeated his denial (*b*), that he taught for pay ; the report circulated to that effect was a misrepresentation. He did not suggest, however, that it was discreditable for a competent teacher to charge fees for his instruction.

" If a man were really able to instruct mankind, to receive money for giving instruction would, in my opinion, be an honour to him. There is Gorgias of Leontium, and Prodicus of Cos, and Hippias of Elis, who go the round of the cities, and are able to persuade the young men to leave their own citizens by whom they

(*a*) *Apol.* 33 b.
(*b*) 19 d, 31 c, 33 a.

might be taught for nothing, and come to them whom they not only pay, but are thankful if they may be allowed to pay them. There is at this time a Parian philosopher residing in Athens, of whom I have heard ; and I came to hear of him in this way :—I came across a man who has spent a world of money on the Sophists, Callias, the son of Hipponicus, and knowing that he had sons, I asked him : "Callias,' I said, 'if your two sons were foals or calves, there would be no difficulty in finding some one to put over them ; we should hire a trainer of horses, or a farmer probably, who would improve and perfect them in their own proper virtue and excellence ; but as they are human beings, whom are you thinking of placing over them ? Is there anyone who understands human and political virtue ? You must have thought about the matter, for you have sons ; is there anyone ? ' 'There is,' he said. 'Who is he ? ' said I ; 'and of what country ? and what does he charge ? ' 'Evenus the Parian,' he replied ; 'he is the man, and his charge is five minae.' Happy is Evenus, I said to myself, if he really has this wisdom, and teaches at such a moderate charge. Had I the same, I should have been very proud and conceited ; but the truth is that I have no knowledge of the kind " (*c*).

(In reporting in direct speech his conversation with Callias, he imitated the way in which a witness usually gave evidence, and the way that is always preferred by investigators of truth ; for in indirect narration there is the possibility of misinterpretation and interpolation on the part of the narrator, and also less likelihood of impressing auditors. This part of Socrates' speech, then, for what it was worth, was skilfully and effectively delivered, though its effect was probably diminished a little owing to the note of irony that was manifested.)

He bore out his statement that he received no pay by evidence on his own behalf, as well as by pointing to the absence of evidence on the part of the prosecution. The accusers charged him with many things, he said, in a most shameless manner, but they could not work themselves up to such a pitch of effrontery as to say, or produce a witness to say, that he ever exacted or sought payment of anyone ; whereas he, for his part, had a sufficient witness of the truth of what he said, namely, his poverty (*d*).

Moreover, he maintained that he never really gave anyone

(c) 19 e–20 c.
(*d*) 31 b–c.

instruction at all (*e*). He did not possess and did not claim to possess the knowledge claimed by the Sophists, so that he could not impart any such knowledge (*f*). What he meant, of course, was that he did not give any set or systematic instruction on any subject, as the professional teachers did, who pretended that they could turn out finished politicians, forensic orators, controversialists, and so on. For his mission was simply to question others in order to ascertain whether they really knew what they claimed to know or they thought they knew, and also to exhort them to search for truth and wisdom and the perfection of their souls (*g*), and to care more for virtue than for worldly possessions (*h*).

We have no doubt that this declaration that he was never anyone's teacher failed to convince the judges; they had so frequently seen him converse with young men who were always deeply absorbed in what he was saying to them. They certainly believed therefore that this argument of his was typically sophistical, and an actual example of his misleading conversation produced unawares by him before this very court itself. Now though he was perfectly right from his point of view, that point of view they could not grasp or comprehend; so that the upshot must have been that the philosophic candour and fundamental truth of his paradoxical assertion impaired his case instead of benefiting it. He was seeking to dissociate himself from the Sophists, with whom he had been erroneously identified; and the irony of the situation was that one of the arguments by which he hoped to disprove the alleged association only cemented it more firmly in the minds of those very people whom he endeavoured to convince by considerations dictated by reason. Such a plea would certainly have never been introduced into the case by a skilful forensic speaker or experienced logographer; either of these would have at once realised that to make a declaration which on the face of it looked to the judges like a patent and perverse contradiction of what they had long regarded as a definitely established fact would not be believed by them, and would also unfavourably affect other statements of the pleader, however true and sincere the declaration was in reality. Had Socrates had any experience in addressing a large assembly, he would have realised that the way in which a crowd of people think things out, especi-

(*e*) 33 a.
(*f*) 20 c, e.
(*g*) 29 e.
(*h*) 30 b.

ally under pressure of time, is not exactly the same as the way in which an individual thinks who has had some dialectical training and who has the leisure to dwell on fine distinctions. Accordingly, we are bound to conclude that if this were the only argument on which Socrates relied in order to persuade his judges not to confound him with the Sophists (who had been painted very black by Anytus), his case was to all intents and purposes lost.

It is difficult to believe, however, that he did not refer to other points of contrast between his disinterested pursuit of true "philosophy"—he had regarded himself only as a labourer in philosophy (*αὐτουργὸς τῆς φιλοσοφίας*) (*i*)—and the remunerative practice of sophistic, to which the charge of corrupting the youth was related. His main task in this part of the case was to remove, to the satisfaction of the court, this sophist-incubus that had so long lain upon him. Hence he might well have mentioned, in regard to aim, method, and outlook, such differences as the following: He sought in his inquiry to attain to objective certainty, as he did not deny the possibility of universally valid knowledge; the inquiry of the Sophists was of a subjective character, and they taught that man's wisdom consisted in doubting everything, because to them everything was in a state of flux and unreal. He tried to discover truth by the method of dialectic which aimed at establishing clear definitions after a careful scrutiny of data presented to experience; they scorned logical generalisation, and taught the method of eristic which, by means of verbal jugglery and ambiguities deliberately introduced, was intended only to nonplus an opponent in debate. He tried to arrive at an intelligible basis for human conduct; they undertook to impart such knowledge as could be applied to any purpose whatever irrespectively of principle, placing good and bad, right and wrong on the same footing. The Sophists made "clever" speaking and superficial skill an end in itself; he (as Xenophon (*k*) said of him) "was in no hurry for those who were with him to discover capacities for speech and action or as inventive geniuses, without at any rate a well-laid foundation of self-control (*σωφροσύνη* (*l*))—for those who possessed such abilities without these same saving virtues would, he believed, only become worse men with greater power for mischief": that is to say, he insisted on the necessity of justice and righteousness for making good

(*i*) Xen., *Symp.* i. 5.
(*k*) *Mem.* iv. 3. 1. (For the sake of convenience I have slightly modified Dakyns' punctuation.)
(*l*) Or temperance, or sanity of soul.

citizens (*m*) and good men, whilst the Sophists taught arts in the form of so much routine even at the expense of civic and manly excellence. To draw such distinctions might well have impressed the more intelligent members of the great dicastic assembly ; and their attitude at the trial must have influenced more or less the view of less discerning neighbours.

However, Socrates who stated he was certain that Meletus did not really know the meaning of " corrupting the youth," in spite of his having included this charge in his indictment and addressed the judges thereon, turned to the prosecutor in order to cross-examine him. Socrates' expression of this certainty, which seemed to be a departure from his usual reserve and reticence, was perhaps a tactical mistake in forensic procedure, especially at that stage of the trial. His experience of cross-examining people had certainly revealed to him the universal prevalence of ignorance and their incapacity to make good their pretensions to the possession of knowledge ; so that he was, naturally, confident that he could soon bring about the discomfiture of Meletus, who had probably never probed the underlying principles of knowledge. Nevertheless, Socrates' confidence might well have made the judges suspect his procedure ; and many of them very likely thought that he was about to practise himself the very eristic method he had condemned in the Sophists as an unfair trick to perplex an opponent and make him contradict himself whether he was right or wrong. Thus at the very outset of the cross-examination the sympathy of a number of judges must have been given to the prosecutor rather than to the defendant, despite the fact (at least we believe it to have been so) that the language of the defendant's address was saintly moderation itself compared to the unrestrained vituperation of the prosecutor. And the judges' prepossession in favour of Meletus was no doubt intensified by the further remark of Socrates that it was Meletus who was the real wrongdoer in the case, in that he mixed up jest and earnest, by lightly bringing other people to trial, and pretending to be zealous and concerned about matters for which he never cared at all (*n*).

The cross-examination of Meletus, then, was to this effect :

" *Soc.* : Come hither, Meletus, and let me ask a question of you. You think a great deal about the improvement of youth ?

(*m*) Cf. Xen., *Mem.* iv. 2. 11.
(*n*) *Apol.* 24 c.

Mel.: Yes, I do.

Soc.: Tell the judges, then, who is their improver; for you must know, as you have taken the pains to discover their corrupter, and are citing and accusing me before them. Speak, then, and tell the judges who their improver is.—Observe, Meletus, that you are silent, and have nothing to say. But is not this rather disgraceful, and a very considerable proof of what I was saying, that you have no interest in the matter? Speak up, friend, and tell us who their improver is.

Mel.: The laws.

Soc.: But that, my good sir, is not my meaning. I want to know who the person is who, in the first place, knows the laws.

Mel.: The judges, Socrates, who are present in court.

Soc.: What, do you mean to say, Meletus, that they are able to instruct and improve youth?

Mel.: Certainly they are.

Soc.: What, all of them, or some only and not others?

Mel.: All of them.

Soc.: By the goddess Here, that is good news! There are plenty of improvers, then. And what do you say of the audience,—do they improve them?

Mel.: Yes, they do.

Soc.: And the senators?

Mel.: Yes, the senators improve them.

Soc.: But perhaps the members of the assembly corrupt them?—or do they too improve them?

Mel.: They improve them.

Soc.: Then every Athenian improves and elevates them; all with the exception of myself; and I alone am their corrupter? Is that what you affirm?

Mel.: That is what I stoutly affirm.

Soc.: I am very unfortunate if you are right. But suppose I ask you a question: How about horses? Does one man do them harm and all the world good? Is not the exact opposite of this true? One man is able to do them good, or at least not many;—the trainer of horses, that is to say, does them good, and others who have to do with them rather injure them? Is not that true, Meletus, of horses, or any other animals? Most assuredly it is; whether you and Anytus say yes or no. Happy indeed would be the condition of youth if they had one corrupter only, and all the rest of the world were their improvers. But you, Meletus, have sufficiently shown that you never had a thought about the young:

your carelessness is seen in your not caring about the very things which you bring against me.

And now, Meletus, I will ask you another question—by Zeus I will: Which is better, to live among bad citizens, or among good ones? Answer, friend, I say; the question is one which may be easily answered. Do not the good do their neighbours good, and the bad do them evil?

Mel.: Certainly.

Soc.: And is there any one who would rather be injured than benefited by those who live with him? Answer, my good friend, the law requires you to answer—does any one like to be injured?

Mel.: Certainly not.

Soc.: And when you accuse me of corrupting and deteriorating the youth, do you allege that I corrupt them intentionally or unintentionally?

Mel.: Intentionally, I say.

Soc.: But you have just admitted that the good do their neighbours good, and the evil do them evil. Now, is that a truth which your superior wisdom has recognised thus early in life, and am I, at my age, in such darkness and ignorance as not to know that if a man with whom I have to live is corrupted by me, I am very likely to be harmed by him; and yet I corrupt him, and intentionally, too—so you say, although neither I nor any other human being is ever likely to be convinced by you. But either I do not corrupt them, or I corrupt them unintentionally; and on either view of the case you lie. If my offence is unintentional, the law has no cognisance of unintentional offences: you ought to have taken me privately, and warned and admonished me; for if I had been better advised, I should have left off doing what I only did unintentionally—no doubt I should; but you would have nothing to say to me and refused to teach me. And now you bring me up in this court, which is a place not of instruction, but of punishment" (*o*).

Next Socrates proceeded to question Meletus on his assertion that Socrates corrupted the youth by teaching them irreligion, and that he was an atheist: this part of the case we have already considered (*p*).

At the very beginning of the above cross-examination, Meletus was reluctant, or at least hesitated, to answer: he must have felt

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(*o*) *Apol.* 24 d–26 a.

(*p*) *Supra*, chap. xv.; cross-examination of Meletus on his charge of atheism, at p. 298.

that there were profounder implications in the questions put to him than he had imagined during the preparation of his case. Or was it because he was well aware that his conception of what made men better or worse would not be able to resist the adroit onslaught—or perhaps the insidious trap—of Socrates' formidable dialectic ? Socrates' immediate inference that the silence of Meletus proved that he had never given any thought at all to the matter was hardly justified at that moment, unless the object of the questioner in thus twitting him was to force an answer from him—and it was probably done with that object. Meletus, knowing that he must somehow defend his position, and trying to avoid falling straight into the hands of Socrates, replied that it was the laws that made the youth better ; this was obviously a non-committal answer.

Now Meletus might properly have adopted another and a more secure attitude, instead of returning such an answer. He could have said, for example, that although it was true that he had thought a good deal about the improvement of the youth, yet he did not pretend to know all about the science and art of education, the various means of culture, and the sort of persons best qualified for imparting it ; but that he did know that the defendant had had a demoralising influence on young men, and that this was his only contention. A refusal to enter into a general investigation of the subject would, of course, have been indefensible from a philosophical point of view ; but in a judicial inquiry concerning certain acts of a person accused of perverting his associates or some of them, it would have been quite legitimate. Thus Meletus could have held his position, simply by stating facts that showed, in his opinion, the accused's injurious influence on the character and conduct of young men, by declining to enter into a discussion of first principles (which was always the most difficult kind of discussion), and holding that it was for the judges to determine whether those facts stated by him, if sufficiently proved, justified his opinion.

As it was, by his answer Meletus committed himself to a theoretical inquiry, the sort of thing Socrates was always ready to embark upon, and usually with disastrous consequences to his collocutor. A defendant who cross-examines a prosecutor is to be allowed, of course, a reasonable latitude in his questioning—indeed, a wide latitude, if he is charged with a capital offence ; but, had the dicasts been presided over by an experienced and able judge, he would have intimated to the cross-examiner that

it was possible for a prosecutor or a witness to testify in a competent manner to certain facts without possessing complete knowledge of the science or art to which those facts appertained. And doubtless many of the judges adopted such a view, and remained unconvinced by Socrates' destructive reasoning. However, Meletus apparently was determined " to go the whole hog," so he replied that all the judges, all the senators, and even all the members of the assembly—in other words, everybody—improved the youth, whilst Socrates alone depraved them. In spite of Meletus' bid for the sympathy of the judges by saying, in the first place, that they were improvers of the youth (which, no doubt, Meletus and some of the judges thought was a " clever " answer and a good hit in the initial stage of the encounter), many judges must have felt that his assertion was much too sweeping, and that it very likely resulted from his personal animosity towards Socrates rather than from his knowledge of the facts or from his vaunted goodness and patriotism (*q*) in instituting his criminal proceedings. Nevertheless, in this part of the cross-examination, owing to the subsequent obstinacy—perhaps circumspection—of Meletus, Socrates was not able to bring about the result he expected, namely, the open self-contradiction of Meletus : and even Socrates' mention, in his usual manner, of such a simple analogy as that of trainers of horses did not induce Meletus to continue the argument. Hence, Socrates had to draw the conclusion for himself, namely, that it was the height of absurdity—as it obviously was—to hold that Socrates alone was the corrupter of the Athenian youth, whilst all the rest of the community without exception were their improvers.

Now Jowett (*r*) remarks that this proposition of Socrates is a sophism, though it is excusable on the ground that it is put forth in his ironical manner. The irony is here certainly appropriate and fully merited, but the term " sophism " is quite inapplicable ; for the proposition is more of the nature of a truism, and in the circumstances is quite relevant and effective, and does not call for any excuse at all.

The next part of the cross-examination involved one of Socrates' fundamental doctrines—no one errs or is evil willingly or intentionally—a doctrine that has already been considered in a previous chapter (*s*). Socrates tried to elicit from Meletus the admission

(*q*) Cf. *Apol.* 24 b.
(*r*) *Op. cit.*, Introduction to the *Apology*, vol. ii., p. 104.
(*s*) See *supra*, p. 105.

that if he had done, in fact, anything which had a deteriorating effect on the youth, he must have done so unintentionally; for it was not likely that a man would deliberately corrupt fellow-creatures with whom he had to live, since the effects of such corruption would inevitably be detrimental to himself.

Jowett, commenting on this argument, observes:

"Truly characteristic of Socrates is another point in his answer, which may also be regarded as sophistical. He says that 'if he has corrupted the youth, he must have corrupted them involuntarily.' But if, as Socrates argues, all evil is involuntary, then all criminals ought to be admonished, and not punished. In these words the Socratic doctrine of the involuntariness of evil is clearly intended to be conveyed" (*t*).

Now this comment of Jowett misses the point, and it has been followed too by other writers who appear to be able to discover sophistic reasoning where none exists. It is to be noted, in the first place, that it was not the purpose here of Socrates to defend or rely on the general principle—no man errs voluntarily—in all its applications. His object was only to assert and maintain a particular axiomatic proposition, which, serving as a premise in a syllogism, lent support to that principle; this proposition was that no one in his ordinary senses would consciously and deliberately inflict what he knew to be an evil on himself. Socrates did not argue before the court that all evil was involuntary, or that all malefactors should receive only admonition and not punishment. His argument was to this effect: No man consciously and deliberately does to himself what he knows to be an evil. But to do evil to another with whom he associates necessarily implies (through reaction) the infliction of evil on himself. Therefore no man consciously and deliberately does to another what he knows to be evil. But if in fact he has done evil to another, it must have been done unconsciously and involuntarily, that is, innocently. Now an evil act done innocently is not a criminal act, and is not punishable as such by a court of justice, the only appropriate correction therefore being an intimation to the doer of such an act that his conduct caused someone an injury. Having thus acquired some knowledge of the consequences of his act, he would either refrain from committing it again or he would repeat it; if he chose the latter alternative, he would be doing so consciously and deliberately, and so would be

(*t*) *Op. cit.*, p. 105.

violating the law, and rendering himself liable to the punishment prescribed by the law.

It is to be noted that Socrates did not advance the argument with a view to inculcating an ethical or juridical theory. He was not standing there before his judges to do that ; he was defending himself against a capital charge, which was that he had done evil to those or to some of those who had associated with him. And the argument put forward by him was true and indisputable, both philosophically and juridically, for such a man as Socrates who lived and moved and had his being on a plane different from that of the ordinary mortals round about him, and who persistently and unfalteringly followed his uncompromising principle ; whilst others calculating profit and loss, so to speak, might be disposed to run the risk of suffering reciprocal evil at the hands of those whom they desired to wrong. So far as the dicasts were concerned, we may be pretty certain that this reasoning of Socrates possessed little validity ; they might even have regarded it as another instance of his alleged sophistry.

This part of the cross-examination of Meletus was, then, despite its theoretical skill and theoretically devastating effect, practically wasted, inasmuch as its purpose was altogether beyond the minds of those whom it was intended to influence. Besides, Socrates' argument, assuming as it does that the will is co-extensive with the intellect or reason, might possibly have appeared to some of the judges a two-edged sword. Thus Socrates, for the purpose of his own defence against the allegation that he committed wrongful acts, postulated the principle that no one consciously and deliberately committed a wrongful act ; and yet before the assembly of judges, who were not likely to appreciate the fine distinctions involved, he counter-charged Meletus with the voluntary and deliberate commission of wrongful acts. In other words, to the minds of many of the judges the attitude of Socrates would have appeared to involve a self-contradiction on his part, or at all events an inconsistency, in claiming in effect that what was sauce for the goose was not sauce for the gander.

If this theoretical argument of his with its seeming self-contradiction or inconsistency did not greatly impress the judges, the simpler, more direct, and more practical plan of calling upon the prosecution to produce evidence of his corruption of the youth was much more to the point. This was the kind of procedure that appealed to a popular court, and a practised advocate knowing well the nature of those he addressed would have made much

more of it than Socrates did, and would have dwelt much more emphatically on the absence of such evidence. That is not to say that Socrates neglected the point.

"If I am or have been corrupting the youth," he declared, "those of them who are now grown up and have become sensible that I gave them bad advice in the days of their youth should come forward as accusers, and take their revenge; or if they do not like to come themselves, some of their relatives, fathers, brothers, or other kinsmen, should say what evil their families have suffered at my hands. Now is their time. Many of them I see in the court. There is Crito, who is of the same age and of the same deme with myself, and there is Critobulus his son, whom I also see. Then again there is Lysanias of Sphettus, who is the father of Aeschines—he is present; and also there is Antiphon of Cephisus, who is the father of Epigenes; and there are the brothers of several who have associated with me. There is Nicostratus the son of Theosdotides, and the brother of Theodotus (now Theodotus himself is dead, and therefore he, at any rate, will not seek to stop him); and there is Paralus the son of Demodocus, who had a brother Theages; and Adeimantus the son of Ariston, whose brother Plato is present; and Aeantodorus, who is the brother of Apollodorus, whom I also see. I might mention a great many others, some of whom Meletus should have produced as witnesses in the course of his speech (*u*); and let him still produce them, if he has forgotten—I will make way for him. And let him say, if he has any testimony of the sort which he can produce. Nay, Athenians, the very opposite is the truth. For all these are ready to witness on behalf of the corrupter, of the injurer of their kindred, as Meletus and Anytus call me; not the corrupted youth only—there might have been a motive for that—but their uncorrupted elder relatives. Why should they too support me with their testimony? Why, indeed, except for the sake of truth and justice, and because they know that I am speaking the truth, and that Meletus is a liar" (*x*).

We may add here that, according to the account given in Xenophon's *Apology*, Socrates addressed Meletus to this effect:

"We know, I fancy, what such corrupting influences are; and perhaps you will tell us if you know of any one who, under my influence, has been changed from a religious into an irreligious

(*u*) 34 a: καὶ ἄλλους πολλοὺς ἐγὼ ἔχω ὑμῖν εἰπεῖν, ὧν τινα ἐχρῆν μάλιστα μὲν ἐν τῷ ἑαυτοῦ λόγῳ παρασχέσθαι Μέλητον μάρτυρα.

(*x*) *Apol.* 33 d–34 b.

man ; who, from being sober-minded, has become violent ; from being a man of frugal habit has become a prodigal ; from being a moderate drinker has become a wine-bibber and a drunkard ; from being a lover of healthy honest toil has become effeminate, or under the thrall of some other wicked pleasure " (*y*).

It was a dexterous move combining the defensive and the offensive on the part of the accused to name a considerable number of persons present in court who had been his associates or pupils, to challenge the prosecution to call them as witnesses, and, the prosecution refusing to do so, to declare them as witnesses on his own behalf. The insinuating sarcasm, the apt differentiation between such young men as might have been corrupted and their uncorrupted relatives who would have no reason for holding back, and the triumphant conclusion as to his truthfulness thus demonstrated by actual facts before the very eyes of the judges must have made a deep impression on the court. We have no doubt that many of the votes that were eventually cast in his favour were secured by this portion of his speech. One commentator speaking of this part of the defence observes that Socrates could not prove that no young man who had been associated with him had been corrupted ! It does not need any legal experience or knowledge of jurisprudence, but only a little commonsense, to enable one to see that it was obviously and imperatively the duty of the prosecution to produce definite evidence in support of their allegation, as well as to make their allegation clear and specific. If, as it seems from the words of Socrates, the prosecution did not bring forward any witnesses at all—not a single father to testify to the evil teaching received by his son from Socrates (*yy*), not a single person to mention the name of a young man perverted through contact with the accused—then this part of the indictment pointed clearly to a malicious and groundless prosecution. What is more, Socrates was extraordinarily generous in his reference to the lack of evidence : he need not have said a word about his preparedness to stand aside in order to give the accusers an opportunity of substantiating their charge by means of evidence, if they had any to offer at the eleventh hour ; he was entitled to condemn outright the conduct of the prosecution in making a charge that was as uncorroborated as it was vague, and to ask for an acquittal on this count of the indictment at least. And yet he offered to give them an opportunity to make good

(*y*) Xen., *Apol.* 19–20.
(*yy*) Apart from the statement of Anytus as prosecutor.

their contention if they could—a fine " gesture " that must have appealed to some of the judges as a spontaneous token of his truthfulness on that score. But there were stronger counter-influences ; if no witness was actually produced in support of the prosecution, the hated names of Critias, Charmides, and Alcibiades were mentioned by the accusers and came to their rescue as persuasive witnesses. The old association of Socrates with these men had, indeed, an overwhelming influence on the minds of the judges ; so it appears from Aeschines' observation in a public speech that the Athenians put Socrates to death " because he was believed to have been the teacher of Critias " (*z*).

That Critias, Charmides, and Alcibiades had at one time been in contact with the defendant he could not deny and did not attempt to do so, though of course he repudiated all responsibility for their misconduct.

Such a repudiation seems to us simple and natural, needing nothing more to justify it ; and Socrates must have thought so himself, for, if we are to judge from the *Apology*, he dismissed in a very few words and with contempt the slanderous imputation that these unpatriotic men had been disciples of his (*a*). In the first place, he declared, as we have already seen, that he never professed to be a teacher and never in fact acted as one, so that he could not have had any pupils ; and all persons without distinction might come to converse with him if they cared to do so (*b*). His occupation was, not the imparting of definite instruction, but a co-operative investigation of questions, the solutions of which he knew no more than his collocutors did ; he simply interrogated them, and whoever wished to answer might do so (*c*). Secondly, he protested against the sinister inference that had erroneously been drawn by his accusers : if any persons who thus came into contact with him turned out to be a bad man, he ought not to be blamed for that, any more than he should be praised if they turned out to be good men (*d*).

Some critics have regarded this argument as fallacious, probably because (if we may say so) they have not grasped the point in Socrates' contention. His express repudiation of responsibility must be considered along with his declaration, first, that he never professed (as the Sophists did) to give moral instruction at all ;

(*z*) *c. Timarch.* i. 173.
(*a*) *Apol.* 33 a : *οὓς οἱ διαβάλλοντες ἐμέ φασιν ἐμοὺς μαθητὰς εἶναι.*
(*b*) *Ibid.*
(*c*) 33 b.
(*d*) *Ibid.*

secondly, that he did not pursue his mission in privacy ; thirdly, that he conversed openly and in public and that anybody could come and listen or take part in the conversation ; and lastly—and this is the most important point—that his talk and cross-examination, such as they were, were always the same for all listeners. These considerations appear to have been overlooked by Jowett, in his comment on the defence in regard to the lives of Socrates' disciples.

"It is obviously not a sufficient answer," he says, "that Socrates had never professed to teach them anything, and is therefore not justly chargeable with their crimes. Yet the defence, when taken out of this ironical form, is doubtless sound : that his teaching had nothing to do with their evil lives. Here, then, the sophistry is rather in form than in substance, though we might desire that to such a serious charge Socrates had given a more serious answer " (*e*).

Had Jowett considered Socrates' answer in its entirety (all too brief as it is), he would have seen that it was a sufficient reply and a serious one, too, even though it might not have satisfied his auditors. And no one who understands Socrates' point of view would say that there was any sophistry in his answer, either in form or in substance : it might perhaps have seemed sophistic to some of his judges,—but then the old misrepresentation of Socrates as a Sophist and the prepossession of the judges against him constituted an evil spirit that dominated the trial. A fuller argument would certainly have been desirable, and Socrates could easily have presented it, if he did not in fact do so. Brief as it is, however, it possesses much cogency ; we can accept the view of a recent writer, who says : "This argument is not rigidly conclusive ; but it is as strong as any *a priori* argument on such a point can be. And, what is more, it is immediately supplemented by ample *a posteriori* evidence to the same effect " (*f*). The evidence here referred to is that of the various persons present in court who had been associates of Socrates, and who might have been called as witnesses to the nature of his conversation (*g*).

Xenophon deals with this part of Socrates' defence more fully than with every other allegation, so that we may perhaps conclude that the question of Socrates' old association with Critias and Alcibiades played an important part in the case for the prose-

(*e*) *Op. cit.*, Introduction to the *Apology*, vol. ii., p. 105.
(*f*) T. de Laguna, "Interpretation of the Apology," in *Philosophical Review* (New York), vol. xviii. (1909), pp. 23 *seq.*, at p. 32.
(*g*) See *supra*, p. 329.

cution, and in the counsels of the judges. Some such observations as those of Xenophon might certainly have been made by Socrates with great advantage to his defence. Xenophon, exculpating him from the charges of "the accuser" (*h*), dwells on the innate vicious disposition of Critias and Alcibiades, their coming to Socrates to acquire the wits of speech and statecraft merely for the purpose of defeating adversaries, their temperate life during the period of their connection with him, their departure from him and their subsequent misadventures, the hostility of Critias to Socrates, and, above all, the absurdity of holding Socrates responsible for their misdeeds.

"For my part," he says, "in so far as these two wrought evil to the State, I have no intention of exonerating them; but I will explain what this intimacy of theirs with Socrates really was. Never were two citizens like them seen at Athens. Ambition was their very life-blood. They were eager to get all power into their hands and to eclipse every rival in fame. Of Socrates they knew that he lived an entirely independent life on very little; that he was severely self-disciplined in all his pleasures; and that he was so formidable in argument that he could sway as he liked any disputant. Such being their views, and such the character of the pair, is it likely that they sought the society of Socrates in order to adopt his simple life? Is it not rather because they thought, that by associating with him they would become adepts in the arts of speech and action? (*i*) . . . Their conduct soon revealed their real purpose: no sooner did they think themselves to be superior to those they came in contact with than they sprang aside from Socrates and plunged into politics for which they had sought his society (*k*). . . . As long as they were with Socrates even they were temperate (*l*). . . . They were able by his support to conquer their evil passions; but having parted from him, Critias fled to Thessaly (*m*), where he consorted with men who preferred lawlessness to justice, whilst Alcibiades fared no better (*n*). . . . Such were their misadventures. Inflated with the pride of birth, exalted by their wealth, puffed up by power, giving way to temptation and corruption in their long absence from Socrates, what wonder that they became arrogant! And

(*h*) Reference has already been made to this "accuser"; see *supra*, p. 270.
(*i*) *Mem.* i. 2. 13–15.
(*k*) i. 2. 16.
(*l*) i. 2. 18.
(*m*) Cf. Xen., *Hellen.* ii. 3. 36.
(*n*) *Mem.* i. 2. 24.

for the offences of these two is the accuser to hold Socrates responsible ? And does he merit no praise at all for having rendered them self-controlled in their earlier days when they would naturally be most reckless and intractable ? (*o*) . . . Here would have been a fair test to apply to Socrates : Was he guilty of any base conduct himself ? If so let him be set down as a knave ; but if he constantly observed high moral principle how can he be reasonably held to blame for the evil which was not in him ? " (*p*).

Xenophon goes on to say that Socrates always disapproved of the evil doings of others, and that was why he eventually aroused the hostility of Critias (*q*).

The brief protest of Socrates in Plato's *Apology*, and the more elaborate exculpation of him set forth by Xenophon, are confirmed by Aeschines of Sphettus, who was a follower of Socrates (*r*). In a recently discovered fragment of the latter's dialogue *Alcibiades*, it is stated that Alcibiades was not in the proper sense of the term a pupil (*μαθητής*) of Socrates. And the same point is also insisted on by Isocrates (*s*).

To the complaint that several of Socrates' associates were anti-democratic, it was sufficient for Socrates to reply (as he did) that they belonged for the most part to the upper and richer classes (*t*). Hence they would naturally be in favour of the aristocratic party ; but such partisanship was not in itself a crime or in any way discreditable—much less can it be deemed an offence on the part of Socrates. Besides, there were among his companions most loyal democrats, such as Chaerephon who, as Socrates reminded the judges, was devoted to the people and shared in their exile (*u*).

With regard to the charge that Socrates persuaded sons to disobey their parents and follow him rather than them in matters of " wisdom," Socrates is represented in Xenophon's *Apology* as replying thus :

" I admit it so far as education is concerned, for they are well aware that I have made that subject my study. So on questions of health men have more confidence in their doctor than in their

(*o*) i. 2. 25–26.
(*p*) i. 2. 28.
(*q*) i. 2. 29 *seq.*
(*r*) Cf. Plato, *Apol.* 33 e ; *Phaedo*, 59 b.
(*s*) *Busiris*, xi. 5. See Burnet, in *Encyclopædia of Religion and Ethics*, vol. xi., p. 667.
(*t*) *Apol.* 23 c.
(*u*) 21 a.

parents; and in the public assembly the Athenians, to be sure, pay regard to those whose arguments exhibit the soundest wisdom rather than to their own relatives. In your election of generals, do you not choose, in preference to your fathers and brothers, and indeed your own selves, those whom you believe to be the wisest authorities on military affairs?" "No doubt," replied Meletus, "because it is expedient and customary to do so." "Well then," rejoined Socrates, "does it not seem wonderful to you that in all ordinary concerns the best men should obtain, not only fair consideration, but an exclusive preference; but in my case, simply because I am regarded by some as an adept in respect of the greatest human treasure—education—I am for this reason to be prosecuted by you as worthy of death?" (*x*).

Thus Socrates admitted that there were people who followed his counsel in matters of education; but he did not admit that he persuaded them to disregard the advice of their parents, nor did the prosecution prove that he did.

As to the charge that Socrates held that the wise might imprison the more ignorant, just as the sane might keep in confinement the demented, Xenophon points out that it was a gross misinterpretation—we may add, a stupid distortion—and explains Socrates' view as follows:

"Now what Socrates held was, that if you may confine another for his ignorance, you may yourself be justly confined by your superiors in knowledge. To discover the difference between madness and ignorance was a problem to which he frequently applied himself. His opinion was that if a madman may, as a matter of expediency to himself and his friends, be kept in prison, then the man who is ignorant of what he ought to know deserves to sit at the feet of those who know, and be taught" (*y*). Nor did Socrates encourage his companions to despise their kith and kin, who were not of practical use to them. On the contrary, "he called upon his hearers to cultivate sound sense and to make themselves useful, so that he who would be esteemed by father, brother, or any one else should not merely rely on the close relationship and neglect him, but should strive to be useful to all those whose esteem he valued" (*z*). Not only would such an answer as this have been sufficient to refute the allegation, but it was also impliedly disproved by Socrates' unaccepted challenge to the

(*x*) Xen., *Apol.* 20–21.
(*y*) Xen., *Mem.* i. 2. 50.
(*z*) i. 2. 55.

prosecution to produce evidence, instead of vague assertions, of his having corrupted the youth. The particular charge about Anytus's son was no doubt supported by the prosecution, for Anytus was himself there to bring it forward and to speak of his own knowledge. But the considerations stated above apply equally to this specific instance; and to suggest to Anytus's son that he was naturally fitted for a higher profession than that of leather-selling did not amount to setting him against his father.

Hegel, commenting on such a reply, says that although it is just so far as it goes, it is not exhaustive, for the real point of the accusation is not answered, namely, "the unjust intrusion morally of a third party into the absolute relation between parents and children" (*a*). Waiving the doubtful applicability of the description "absolute" relation in view of the intervention of the law, we may say that Socrates did not on his own initiative thrust himself in between fathers and sons, as Hegel seems to imagine; the sons came to him voluntarily, and they were not children of tender years (*b*). Of Anytus's son Hegel says that Socrates' statement that he was fit for something better than leather-dealing established a feeling of dissatisfaction in the young man's mind; this led to his disliking his father, which in turn became the reason of his ruin (*c*). Of such reasoning as this we may say that if we are to search for remote causes of such consequences, why should we cut short the chain of cause and effect there, and not say that the cause of the son's ruin was the fact that he ever came into the world? It is strange what ineptitude a philosopher can sometimes betray, especially when he leaves the sphere of his metaphysical speculation.

Anyhow, to advise young men conscientiously and disinterestedly as to the improvement of their education could not possibly in any case amount to a criminal offence under any civilised legal system, especially when the advice is given by a man of the noblest character who has given a great deal of thought to the subject. There is nothing offensive in urging young men to acquire greater wisdom than that which their fathers possessed, and in telling them that knowledge is a condi-

(*a*) *Op. cit.*, vol. i., p. 437.

(*b*) At Athens a son attained his majority at the age of eighteen (Aristot., *Constitution of Athens*, c. 42, ἐγγράφονται δ' εἰς τοὺς δημότας ὀκτωκαίδεκα ἔτη γεγονότες), and so was released from the *patria potestas*.

(*c*) *Ibid.*, p. 438.

tion precedent to acquiring personal worth and social and political usefulness. He certainly did not foster self-conceit and arrogance in them by making them believe they were already in possession of such knowledge—an *a priori* proposition that would have commanded general assent. And if as a result of associating with Socrates young men conceived admiration and regard for him, and attached importance to his views, sometimes even esteeming them more than their own parents' views, that could not be reckoned a discredit to Socrates. Indeed, there was no evidence whatever that Socrates sought in any way either to sap in the mind of the youth respect due to old age or to diminish the moral authority of the father of the family; on the contrary, there was plenty of evidence to show Socrates' pure and noble character, to which the commission of such acts was altogether foreign.

On the charge of the "accuser" that Socrates depraved his associates by citing immoral passages from the poets and misinterpreting others (for example, a certain line of Hesiod (*d*)), Xenophon thus comments:

"Now while Socrates would fully admit that it is a benefit and a blessing to a man to be a worker, and that to be an idler is a nuisance and an evil, that work is a good and idleness an evil, in his eyes 'to work' and 'to be a worker' meant to be engaged on good work; for gambling and any other occupation that is base and ruinous he stigmatised as idling. So from this point of view the quotation from Hesiod is unimpeachable—'No work is a disgrace; only idleness is a disgrace'" (*e*).

Thus, while Socrates interpreted the line to mean that it is not disgraceful to do honest work, his accuser twisted his words in such a way as to attribute to him the view that nobody need feel ashamed of anything he does. And in regard to the passage from Homer which was alleged to have been interpreted by Socrates as though the poet approved the ill-treatment of poor folk, Xenophon thus repudiates the gross misrepresentation:

"Now no such thing was ever said by Socrates; indeed it would have amounted to a declaration that he ought to be beaten himself. What he did say was that those who rendered no service either by word or deed, who were incapable in time of need of helping the army or the State or the people itself, however rich

(*d*) See *supra*, p. 316.
(*e*) *Mem.* i. 2. 57. Cf. iii. 9. 9.

they might be, ought to be restrained, and especially if to incapacity they added insolence" (*f*).

He adds that Socrates was, indeed, the exact contrary of this—of liberal disposition and a friend to the common people (*g*). And we may add, too, that if others misinterpreted verses that had been cited and properly used by Socrates that was not his fault.

Concerning the accusation that Socrates was hostile to democracy, he would have to admit that he sometimes used deprecatory expressions in reference to the tinkers and cobblers and tradesmen and hucksters who gathered in the Ecclesia, that he deemed government by the wisest and most competent men to be better than government by the ignorant and incompetent, and that election by lot was not a sound institution, inasmuch as it did not secure the best men for the public offices. But having admitted these things, he could justifiably plead that such criticism—fair reasonable, uttered without malice and in the public interest—was not criminal misconduct, that there were other critics (such as Aristophanes, for example) who had far more severely assailed democracy and democratic statesmen and with perfect impunity, and that the very notion of democratic government implies the liberty to point out the failings of public administration or of this or that institution with a view to remedying them for the advantage of all, especially so if the criticism is directed with reason, with restraint, and in a friendly spirit. We may say that most of these minor allegations made against him were quite irrelevant; and if they were brought against him at the trial—as undoubtedly they were—they served well the purpose of the prosecution before an assembly of five hundred citizen-judges, even though they could not amount in the eye of the law to a punishable offence.

To the imputation that he abstained from public life Socrates addressed himself more elaborately, because his answer to that served also as an explanation of the mission to which he had dedicated his life. He said to his judges that some of them might think it strange that though he went about in private giving advice and interfering in other people's affairs, yet he did not venture to come forward in their assembly and participate in the councils of the State. The reason was that he was forbidden to do so by the divine voice that manifested itself to him (*h*); and

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(*f*) i. 2. 59.
(*g*) i. 2. 60.
(*h*) See *supra*, p. 89.

he assured them that its warning was fully justified by his experience.

"For I am certain, O men of Athens, that if I had engaged in politics, I should have perished long ago, and done no good either to you or to myself. And do not be offended at my telling you the truth: for the truth is, that no man who opposes (*i*) you or any other multitude, honestly striving against the many lawless and unrighteous deeds which are done in a State, will save his life; he who will fight for the right, if he would live even for a brief space, must have a private station and not a public one" (*k*).

He told them of two occurrences, which must have been known to many of them, showing that he would never consent to do wrong from fear of death, and that he would rather die than yield. Once, when he happened to be president at the trial of the generals after the battle of Arginusae, he was the only one who opposed the illegal proposal to try them collectively, notwithstanding the threats of impeachment and arrest and the clamours of all against him. Again, under the Thirty, fearing to do wrong more than to die he refused to carry out the illegal order given to him to arrest Leon the Salaminian, whom the tyrants wanted to put to death; and for this disobedience he would indeed have suffered death had not the power of the Thirty soon afterwards come to an end. It was clear therefore that neither he nor any other man could have survived so long if he had taken part in public affairs, and had always been on what he considered to be the side of right as his paramount duty; for throughout the whole of his life he had always been the same both in public and in private affairs, never yielding wrongly to any one (*l*).

Thus the judges ought to have been convinced, by the manifest sincerity and straightforwardness as well as the intrepidity of his statement, that his holding aloof from politics was not a mere caprice on his part or a contemptuous refusal to mingle with the people in their public activities, but it was in accordance with the admonition of the god, and his duty to the god was supreme (*m*); and the divine admonition was really due to the fact that, his nature and ideas being what they were, he was quite unfitted for political pursuits in the existing circumstances. Hence to abstain from public life did not mean that he was disloyal to democracy, or that

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(*i*) I have substituted "opposes" for Jowett's "goes to war with."
(*k*) *Apol.* 31 e–32 a.
(*l*) 32 a–33 a.
(*m*) 29 d, 30 a, b.

he favoured an oligarchical tyranny, or that he perversely refused to perform any civic or political obligations that he was competent to fulfil. In any case he furnished ample proof of his unfaltering devotion to justice and righteousness as well as to the law of the State—and justice and righteousness and observance of the law were not incompatible with the safety of the democracy.

The judges might have regarded with umbrage and impatience Socrates' reference to the intervention of his private oracle, but they must surely have recognised two important points: first, such intervention was a special favour vouchsafed to him, it was not an offence on his part to be visited thus, and it was an occurrence that he could not avoid; secondly, his attributing his non-participation in public affairs to the warning of the divine voice was a legitimate defence, because it adequately accounted for his actions, and it showed that he could not have acted otherwise—at all events without forfeiting his life. Besides, there was no law that commanded a citizen to enter politics at the risk of his life, although the law did require a citizen to go to the field of battle at the risk of his life,—which Socrates himself did whenever he was commanded to do so (as, for example, at Potidaea, Amphipolis, and Delium (*n*)), and he then showed, too, conspicuous courage in the face of the enemy (*o*).

Gomperz, commenting on Socrates' abstention from public affairs, says:

"Surely, when this people had bowed beneath defeat and had been purified by suffering, it could not have been truly termed unmanageable material in the hands of a benevolent and wise artificer of States. It is difficult to think of these things without a feeling of profound regret. One of the noblest and most teachable of peoples is abandoned by a group of its best men, who coldly turn their backs upon it and declare all efforts for its improvement to be so much lost labour" (*p*).

This is certainly one of the most infelicitous passages in this writer's work. In the first place, it is a mere assumption to say that the Athenian people had at that time been purified by suffering; indeed, it is an erroneous statement, in view of Socrates' own express opinion which must possess greater authority than that of any modern philosophical writer. Socrates did not hold aloof from politics merely because the Athenian people presented un-

(*n*) 28 e.
(*o*) See *supra*, p. 60.
(*p*) *Op. cit.*, vol. ii., p. 115.

manageable material. He gave his reason not ironically but seriously and solemnly, it was sufficient to actuate him, and we are disposed to take his word on the point without hesitation. There is no need for us to contemplate these things with profound regret; indeed, it is fatuous to suggest that we should express our regret now for what Socrates thought fit to do and felt bound not to do twenty-four centuries ago. He knew best how and where to bestow his services, conformably to his appointed vocation, and he was well aware that to prove disloyal to it and embark on another career would have been a waste of his life and a loss to his fellow-citizens. His choice was justified by events: his spirit was bequeathed to posterity, and we can contemplate the ever-living presence of a master of life instead of the name of a politician who, as a defender of the cause of the just (to use Plato's simile), had fallen among wild beasts (*q*). Again, the Athenian people may or may not have been one of the most teachable of peoples; but in their conspicuous docility (not to mention nobility) they managed to put to death the greatest and most unselfish teacher they ever had! They were not abandoned by their best men; their best men tried to teach them in the way they thought best, and in the way they could do best; nor did Socrates coldly turn his back on them,—on the contrary, he turned his face steadfastly towards them with ardent enthusiasm and real love; nor did he declare all efforts for their improvement to be so much lost labour,—indeed, he did not in the least slacken his efforts or swerve from his purpose to promote their true interests until the poor neglected people put an end to his life.

Socrates having explained to the court that he was debarred from a political life, went on to show that the work assigned to him was of another kind; and in doing so he set forth an "apologia pro vita sua," which will ever remain a profoundly moving utterance through its candour, simplicity, and courage, its beauty, nobility, and exultation. He told his judges first of an indefeasible obligation that had been imposed on him: he was persuaded that the god commanded him to fulfil the philosopher's mission of examining himself and other men (*r*). He was—if he might use such a ludicrous metaphor—a sort of gadfly sent to the State by the god: the State was like a great and noble horse,

(*q*) *Repub.* vi. 496 d.
(*r*) *Apol.* 28 e.

but heavy and sluggish, and therefore needing to be stirred into life.

" I am that gadfly which God has attached to the State, and all day long and in all places am always fastening upon you, arousing and persuading and reproaching you. You will not easily find another like me, and therefore I would advise you to spare me. I dare say that you may feel out of temper (like a person who is suddenly awakened from sleep), and you think that you might easily strike me dead as Anytus advises, and then you would sleep on for the remainder of your lives, unless God in his care of you sent you another gadfly. When I say that I am given to you by God, the proof of my mission is this ;—if I had been like other men, I should not have neglected all my own concerns or patiently seen the neglect of them during all these years, and have been doing yours, coming to you individually like a father or elder brother, exhorting you to regard virtue ; such conduct, I say, would be unlike human nature " (*s*).

He pointed out that he had never received any pay for his constant exhortation, as his poverty testified (*t*).

Moreover, he asserted that he could not and would not discontinue the prosecution of this mission of his ; no human threat or promise would induce him to do so, and he disregarded all consequences. Were he offered his liberty on condition of abandoning his philosophical investigation, he would unhesitatingly refuse ; he would be prepared to lay down his life—indeed die many times over (*u*)—rather than prove disloyal to his vocation (*x*). A man embarked on such a course of life should consider only whether he was doing right or wrong, good or evil, and ought not to reckon the chances of life and death ; and there would be no cause for shame, if his pursuit brought him to an untimely end (*y*). Despite his respect and love for his judges, he would obey the god rather than them (*z*). Certainly the fear of death would not deter him.

" For the fear of death is indeed the pretence of wisdom, and not real wisdom, being a pretence of knowing the unknown ; and no one knows whether death, which men in their fear apprehend to be the greatest evil, may not be the greatest good. Is not this ignorance of a disgraceful sort, the ignorance which is the conceit

(*s*) 30 e–31 b.
(*t*) 31 c.
(*u*) 30 c.
(*x*) 29 d.
(*y*) 28 b.
(*z*) 29 d.

that a man knows what he does not know ? And in this respect only I believe myself to differ from men in general, and may perhaps claim to be wiser than they are ;—that whereas I know but little of the world below, I do not suppose that I know : but I do know that injustice and disobedience to a better, whether god or man, is evil and dishonourable, and I will never fear or avoid a possible good rather than a certain evil " (*a*).

Accordingly he must persist in his search for wisdom, and in exhorting his fellow-creatures to strive to attain truth and wisdom. It was, to be sure, a unique experience for the dicasts to see a prisoner standing up to them like this, and with placid though resolute insistence and with perfect self-possession telling them that, if he were released, he would continue in the course of which they disapproved, and on account of which he was arraigned before them.

" . . . While I have life and strength," he declared, " I shall never cease from the practice and teaching of philosophy, exhorting any one whom I meet and saying to him after my manner : You, my friend, a citizen of the great and mighty and wise city of Athens—are you not ashamed of heaping up the greatest amount of money and honour and reputation, and caring so little about wisdom and truth and the greatest improvement of the soul, which you never regard or heed at all ? And if the person with whom I am arguing, says : Yes, but I do care ; then I do not leave him or let him go at once ; but I proceed to interrogate and examine and cross-examine him, and if I think that he has no virtue in him, but only says that he has, I reproach him with undervaluing the greater, and overvaluing the less. And I shall repeat the same words to every one whom I meet, young and old, citizen and alien, but especially to the citizens, inasmuch as they are my brethren. For know that this is the command of God ; and I believe that no greater good has ever happened in the State than my service to the god. For I do nothing but go about persuading you all, old and young alike, not to take thought for your persons or your properties, but first and chiefly to care about the greatest improvement of the soul. I tell you that virtue is not given by money, but that from virtue comes money and every other good of man, public as well as private. This is my teaching, and if this is the doctrine which corrupts the youth, I am a mischievous person " (*b*).

(*a*) 29 a–c.
(*b*) 29 d–30 b.

Having thus explained the nature of his life, public as well as private, the principles that animated him throughout, his refusal to make base or unjust concessions to any one (*c*), he assured his judges that his work was carried on for their advantage ; so that if they assented to the demand of the prosecution and put him to death they would be injuring themselves more than him ; they would be wrongfully destroying one sent to them by the god, and they would not easily find another like him (*d*). Appealing to the judges to hear him and not interrupt he said :

" Nothing will injure me, not Meletus, nor yet Anytus—they cannot, for a bad man is not permitted to injure a better than himself. I do not deny that he may, perhaps, kill him, or drive him into exile, or deprive him of civil rights ; and he may imagine, and others may imagine, that he is doing him a great injury : but in that I do not agree with him ; for the evil of doing as Anytus is doing—of unjustly taking away another man's life—is greater far. And now, Athenians, I am not going to argue for my own sake, as you may think, but for yours, that you may not sin against the god, or lightly reject his boon by condemning me " (*e*).

This part of Socrates' speech, though it did not purport to be a reply to any specific allegation, was none the less a most important part of the defence : for it showed that throughout his career he never had a bad motive, crooked intention, or " guilty knowledge " (*mens rea*) of any kind, so that his conduct could not have amounted at any time to a punishable offence. In this portion of his address Socrates reviewed the course of his life, and set it before the judges for their consideration. Plenty of evidence could have been produced to substantiate every word he said ; but there was no need to do so,—for any one who had had any experience of the Athenian courts and the speeches delivered there must have felt that every word of the accused philosopher rang true, that every word came from the very heart and soul of a man who was true to himself, to his calling, and to his country and fellow-countrymen. Unless the judges were hopelessly blinded by prejudice or obsessed by bigotry, they must have realised that corrupting the youth and the various relative offences ascribed to him were altogether incompatible with the even tenor of his life, and with his untiring inculcation of truth and

(*c*) 33 a.
(*d*) 30 e.
(*e*) 30 c–d.

virtue. They ought to have perceived that by the austere morality of his conduct, his doctrines, and his ideas, by his life-long devotion to the behest of the god, he did much—on the contrary—to stem the degeneration of morals and the corruption of religion, just as by his unceasing inquiry he did much to remove men's pretence to wisdom and their illusions of false knowledge, and show the way to the acquisition of true knowledge and wisdom.

Witnesses such as Xenophon could easily have corroborated the words of Socrates—if corroboration were thought to be necessary—by such testimony as the following :

" To the State he was never the cause of any evil—neither disaster in war, nor faction, nor treason, nor any other mischief whatsoever. And also in private life. He never hurt a single person either by depriving him of good or involving him in ill, nor did he ever lie under suspicion of any such misdeeds. How, then, could he have been guilty of the charges alleged against him. For so far was he from disbelieving in the gods, as stated in the indictment, that he was conspicuous beyond all men for his devotion to the gods ; so far from corrupting the youth—a charge insisted on by the prosecutor—that he was notorious for the zeal with which he not only strove to stay his associates from evil desires, but also fostered in them a desire for that fairest and noblest of virtues without which States and families soon decay. Such being his conduct, was he not worthy of high honour from the State ? " (*f*).

(*f*) Xen., *Mem*, i. 2. 63–64.

CHAPTER XVII

NATURE OF THE DEFENCE GENERALLY

Non ego ventosae venor suffragia plebis.

(Horace.)

(I do not hunt for the votes of the common people, which veer with every wind.)

Obsequium amicos, veritas odium parit.

(Terence.)

(Flattery gains friends, but truth enemies.)

KNOWING the sort of man Socrates was and the way in which he pursued his philosophical investigation, we are not surprised to find that he showed very little anxiety about his method of defence, and that he was unwilling to accept professional aid. We have already referred to the account of Xenophon (*a*) (given on the authority of Hermogenes, an intimate companion of Socrates) that the accused gave no attention to the case, that when he did try to give his thoughts to his defence he was opposed by the divine voice, and that in any case his whole life, which had been spent in distinguishing right from wrong, was the best preparation for it. Conscious of his high endeavour, wherein he received what he considered to be divine encouragement and guidance, knowing that he had always observed the law and fulfilled the military and other public duties with which he had been charged, believing that he had not done harm to his fellow-citizens or to his city, his mind was at rest in regard to the line of defence that he would adopt when confronted with the dicasts; for he felt that after all his real defence was his whole life, and the nature of the life he had lived was known well enough to many of his countrymen who were to judge him.

Accordingly he also refused the speech of the experienced logographer Lysias—a speech that had been specially composed for his use at the instance of friends, and no doubt was adapted to the peculiar requirements of an Athenian court of justice and to the susceptibilities of a large assembly of judges. The friends of the accused philosopher must have been well aware that his

(*a*) *Mem.* iv. 8. 3 *seq.*; Xen., *Apol.* 2 *seq.* (The passage in the latter is, as Dakyns puts it, vol. iii., pt. 1, p. 185 n., "either an ébauchement or a réchauffé" of the former.) See *supra*, p. 262.

method of discussion—an instrument of consummate power for dispassionate philosophical inquiry—would not be appropriate for persuading the citizen-judges that he was innocent. But to Socrates, then as always, the unadorned statement of truth was of far greater importance than all the rhetorical parade and passionate appeals that were customary in legal proceedings; it was not emotion but reason that was able to discern right and wrong —and to cause the feelings of judges to oust their reason was illegitimate, especially in a man who had all his life long bowed to the sovereignty of reason, and had urged everybody he came in contact with to do the same. Hence for him it was only the force of truth that must be the force of eloquence (*b*).

It is not, of course, suggested that he had not thought beforehand of some of the points he desired to emphasise; but it is very likely that he spoke without any notes whatever, and that the actual form and texture of the speech was unprepared. No doubt he observed such an injunction as that given by Jesus to his disciples (*c*): "But when they deliver you up, take no thought how or what ye shall speak; for it shall be given you in that same hour what ye shall speak." A master of dialectic, and believing it to be the only procedure capable of arriving at truth and exposing the false, he would wish to convince his judges, and not merely captivate their minds and thereby "snatch" a verdict in his favour (*d*). He knew that the effective investigation of great human questions was necessarily associated with the inquirer's life, that it was an index of life as well as a guide and spur of life; he knew that the dialectic process required the

(*b*) Plato, *Apol.* 17 b, d.

(*c*) St. Matt. x. 19.

(*d*) It is suggested by a modern German critic that the speech of Socrates as given by Plato is not a defence at all, inasmuch as Socrates not only made no endeavour to obtain an acquittal by weakening the charge or advancing refutative arguments, but even amplified the counts in the indictment, thus increasing the difficulties of his own case: for this is not the kind of procedure adopted by an accused. Schanz, *Apologia*, p. 71: "Eines dürfte unbestritten sein, dass das Ziel jeder Verteidigung vor allem sein muss, die Anklage zu entkräften, um dadurch die Freisprechung zu erreichen. Steht die Sache des Angeklagten auf schwachen Füssen, so wird er wenigstens den Schein der Widerlegung zu erzeugen versuchen. Aber kein Angeklagter wird die Anklagepunkte noch erweitern oder sie so verändern, dass er sich die Verteidigung wesentlich erschwert. Und doch ist beides in der Apologie geschehen." But this view is untenable. In the first place, this writer looks at Socrates as though he were an ordinary prisoner in the dock; with the ordinary mind, motive, and intention of prisoners in general. He seems to have failed to understand the attitude of Socrates; his unwavering stand for truth, reason, and principle, and his aversion from all unconscionable persuasion of the judges irrespectively of the truth and his inner conviction. Secondly, the criticism is erroneous in regard to the facts: it is shown above that the speech was a forcible defence, marked too by various forensic characteristics.

sympathetic co-operation of ardent and unprejudiced minds, that in order to capture truth and discern justice a long and arduous intellectual journey was needed, but that its accomplishment would be impossible in a court of law where his time would be strictly limited to an hour or two, and where the existing conditions were altogether unfavourable. For according to his way of thinking, in order to enable a man to apprehend truth and reality it was essential to " convert " him (*e*) : to make him eschew the haphazard and erroneous ways of forming conclusions, and abandon his capricious mode of life ; and instead to induce him to take the exacting and austere path of dialectics together with the disciplined life it entailed,—for the dialectic of words and the dialectic of action were inseparable processes in a life of reason.

Holding such a view, how could he in so short a time and in such circumstances open the eyes of his judges to truth ? The inveterate prejudice against him and the slanders and misrepresentations that were long current he could not hope to clear away in the brief and hurried proceedings before the five hundred dicasts (*f*)—for he was certain he would not procure an acquittal unless that preliminary task were successfully performed. Indeed, he told the judges that, convinced as he was that he never intentionally wronged any one, he could not hope to convince them also in the time at his disposal (*g*) ; and he deplored the rule of Athenian practice which, unlike that of other States, required a trial on a capital charge to be completed in one day. As he realised, then, that an appropriate and adequate defence would need not only a considerable length of time, but also conditions different from those relating to a large, excitable, and tumultuous assembly of jurors—including those very tinkers and cobblers and tradesmen and hucksters for whose intellectual and moral capacity he had no high regard and frankly admitted it—he could not think of presenting an elaborate defence which would refute systematically and in detail every allegation that had been made, and dispel every suspicion and hostile prepossession that had been aroused against him. Probably he expected from the first that his method of argument would not prove persuasive to the judges, and that this trial of his was therefore to be his last adventure in his argumentative encounters with his fellow-citizens ; and so he may have adopted his line of defence accordingly, of which

(*e*) Cf. Fouillée, *op. cit.*, vol. ii., p. 415.
(*f*) Cf. *Apol.* 19 a.
(*g*) 37 a, b.

the predominant note was to be the defence of the " philosophic " life. It may well be, too, that his speech was addressed not so much to the uncongenial miscellaneous assembly before him, as to an ideal audience of elect souls : for the *Apology* certainly has the appearance of being partly a vindication of his own course of life, and partly—indeed primarily—a vindication of the pursuit of philosophy addressed to the small and noble band of " philosophers "—those initiated lovers and seekers of wisdom and virtue—and an appeal to them to be stout of heart and steadfast of mind in their lofty vocation.

And yet the speech, as we know it in Plato's *Apology*, reveals much skill in the arrangement and structure of its several parts, notwithstanding its seeming simplicity and artlessness, and its extempore delivery. If we may regard it as being divisible into three sections, we find that the middle section containing Socrates' rebuttal of the actual charge is flanked by apparently unnecessary but really essential reinforcements in the van and in the rear (so to speak)—the first section comprising a reply to the " old accusers," and the last being an exposition of his mode of life which brings out its intrinsic incompatibility with the old accusations on the one hand and the allegations of the prosecution on the other. The preponderance of the forces in the van and in the rear over those in the centre shows the solicitude and the aim of the strategist, namely, to combat the old charges of the adversary much more vigorously than the latest assault, which appeared to be only an outgrowth of those charges. Looked at in this way, the address certainly possessed forensic effectiveness, and was on the whole in accordance with the best oratorical procedure ; thus, as has been suggested, it resembles to some extent Demosthenes' great oration on the Crown.

From another point of view we may say that the speech has the framework and sequence of a tragic drama in three acts (*h*)—a unified movement from cause to effect, its tone changing naturally with the development of the action (*περιπέτεια* in the Aristotelian terminology) and the varying participation of the *dramatis personæ*. The first act comprises the whole defence as we have so far considered it ; it depicts the protagonist's conflict—originating in his will (which was deemed to depend partly on a higher will)—with the force set against him, and the testing of the effects of his efforts (that is, the decision of the judges) ; it

(*h*) Cf. Riddell, *op. cit.*, p. xvii.

is thus the "tying of the knot" (the δέσις, as Aristotle calls it). The second act represents a temporary suspense of judgment, the antithesis between the proposed fate and the counter-proposal (*i*) of the protagonist, followed by the frustration of his purpose, thus constituting the dénouement (catastrophe); it is the "untying of the knot" (the λύσις of Aristotle). It contains also episodes or subsidiary actions, such as the intervention of the protagonist's supporters. The third act portrays the final reconciliation (*k*); the protagonist recognises, if we may so put it, the predominance of the evil spirit (the condemning judges) in its conflict with his protective genius (the acquitting judges), which is a subsidiary clash of forces intensifying the whole action and adding to its significance; but he is certain that this triumph is only an apparent one, or at least is merely a temporary one. "The tone of apologetic argument in the first act is succeeded by dignified irony in the second, and this again in the third by a strain of lofty prophecy" (*l*).

The next question that arises is whether the speech of Socrates was an adequate defence. It must at once be admitted that such as it is the *Apology* is a profoundly impressive speech manifesting sublime pathos, buoyant optimism, and saintly reconciliation; it is a magnificent spiritual triumph, and in it the speaker rises aloft to a height that is too exalted for the common clay of his hearers to realise. We are not here concerned, however, with the greatness and beauty of the speech as literature, but rather with the question whether it was at the trial an adequate defence; that is to say, whether its power was directed along the proper channels and against the real obstacles with which the accused was confronted, and whether it adopted the appropriate protective measures to achieve its object, namely, to secure the defendant's acquittal at the hands of those very judges before whom he pleaded.

From this point of view, and from the point of view of the dicasts called upon to adjudicate on the charges as specified in the indictment, it was not perhaps the best kind of tactics to have put the answer thereto in the middle of the speech: for this was its least conspicuous section, and was probably also the part to which the attention of the judges was directed less carefully than it was to the last section of the defence; it was also presented to

(*i*) See *infra*, chap. xviii., *in init.*
(*k*) See *infra*, chap. xviii., *in fin.*
(*l*) Riddell, *ibid.*

the court with seemingly less earnestness and even with comparative unconcern on the part of the speaker. It was certainly necessary to show the relation of the actual indictment to the old accusations, and to emphasise the fact that in spite of certain appearances it was entirely erroneous and unjust to have identified him with the natural philosophers and their ostensible unbelief on the one hand, and with the Sophists and their reprehensible teaching on the other. If, however, Socrates confined himself to pointing out only the superficial differences between himself and the professional teachers as mentioned in the *Apology* (for example, as to teaching in private and remuneration), and did not enforce upon his hearers the more fundamental distinctions, then this portion of his argument must have seemed to many far less cogent than he could have made it. For the most important point by far that he ought clearly to have established was that he never professed to teach and never attempted to teach any one how to make the worse cause appear the better. He did not dwell on this sufficiently, and did not lay stress on the fact that notwithstanding certain external resemblances, there was a profound dissimilarity between his aim, method, and ideas and those of the Sophists. It may be that he believed the court to be incapable of grasping such a distinction, as it had certainly not been grasped by his fellow-citizens before, and that therefore he simply made a very brief and general disclaimer, and, with a shrug of the shoulders, passed on. He could not have concluded that an attempt to draw the real distinction would have been regarded by the simple-minded and prejudiced dicasts as quibbling sophistry, which would all the more alienate their sympathies,—for he thought fit to subject Meletus to a cross-examination that contained subtleties which were much more liable to misinterpretation and objection. But if he really omitted to lay stress on the vital difference referred to, then the time occupied and the pains taken to connect Meletus' indictment with the charges of the " old accusers " were disproportionate to the effort made to disprove the actual allegations of the prosecution ; so that the persuasive effect produced was no doubt much less than the speaker had calculated upon.

Again, the last part of the speech consisting of a justification of his mode of life—thus representing in a sense evidence of good character—also overweighted the vital middle portion, and so tended to distract all the more the judges' attention therefrom ; and their attention once having been drawn away they would

tend to believe (conformably to their preconceptions) that the speaker was endeavouring to obscure the real issue, especially so as he appeared to assume a tone of lofty pride, superiority, and defiance. But ancient forensic oratory was full of irrelevant digressions—though the Greek logographer offended less in this respect than the Roman *patronus* (*m*)—and judges were much less disturbed by them (probably regarding them as " deverticula amoena ") than a modern judge would be with his trained logical mind, alert intervention, and insistence on getting the actual facts of the case. Hence the arguments of Socrates in the first and third sections of his speech may not have been considered by the judges objectionably irrelevant.

It is interesting to speculate whether the result of the trial would have been different had Socrates utilised the speech that Lysias was said to have offered him : Grote expressed the view—though he knew nothing of the nature and contents of Lysias' speech—that had Socrates pronounced it, he would certainly have been acquitted (*n*). There is no record of the text of this speech, so that it is impossible to compare it with the *Apology*. But other speeches of Lysias have been handed down to us, and we may more or less judge from these. Thus a recent writer (*o*) brings forward the *Pro Invalido* of Lysias as a speech that is similar in some ways to the *Apology*. It was delivered at a δοκιμασία (inquiry into qualifications) before the Boulé by a certain lame shopkeeper, a noted character in the city, who had been charged with spreading evil influences among those who came to his shop. He began his address by telling the senators that the accusation was wrongful, and that he was the victim of spite, that the mode of his life deserved praise rather than censure, and that, cripple and sufferer as he was, he was a better citizen than the accuser (*p*). Similar contentions were advanced by Socrates, but in a more delicate and insinuating manner and much less obtrusively. He then proclaimed that the man who harboured malice against those whom others pitied would abstain from no wicked act. This is inconsequent reasoning, such as Socrates did not employ. He had a sharp tongue, and was accused of being licentious and violent ; but in reply he offered only general reflections and said nothing to disprove the charge, his conclusion being that his accuser was

(*m*) Cf. R. C. Jebb, *The Attic Orators*, 2 vols. (London, 1893), pp. cv.–cvi.
(*n*) *History of Greece*, vol. vii., p. 160.
(*o*) Bonner, *loc. cit.*, p. 175.
(*p*) Lysias, *Pro Invalido*, xxiv. 1–2.

joking (*q*) (which recalls a like observation of Socrates in regard to Meletus). His attempt to show that his riding on horseback was consistent with his being crippled was entirely unconvincing (*r*). It was alleged that many evil-minded men gathered at his house, men who had wasted their own property and sought to hurt those who desired to preserve their possessions : to which his reply was merely that such an accusation might equally well be preferred against all tradesmen who were visited by their customers, and to cast aspersions on the customers amounted to a condemnation of Athenians in general, because every Athenian frequented some shop or other (*s*). He begged the senators not to take away the grant that had been bestowed on him (*t*) : whereas he was accused of having obtained it by false pretences, which he did not attempt to disprove. Socrates with all his ironical or contemptuous silence did not shirk any issue in this way. The accused shopkeeper relied, for evidence, only on the knowledge of the senators, regarding his trade, his profits, and the nature of his life ; without submitting proof he made statements also of various alleged facts which could hardly have been within the knowledge of the judges (*u*). Socrates appealed to the knowledge of his judges for certain admittedly notorious things, but for various other facts he expressly mentioned corroborative evidence ; he presented a detailed picture of the course of his life, and, what is more, cross-examined the accuser in order to show the unreliability of his statements, skilfully overcame once or twice his reluctance to answer, and eventually caused him to contradict himself by gradually leading him from simple to more difficult questions. The shopkeeper reminded his hearers that he had shared their perils under the Thirty (*x*) ; Socrates also reminded his judges of his public service, his opposition to the lawlessness of the Thirty, and so on. The shopkeeper concluded by begging his audience to continue to entertain the same regard for him as they had hitherto had, and to give him their verdict as they all recognised his just claim ; if they did that, he would be grateful, and the accuser would receive a lesson not to plot again against the infirm, but try to get the better of men as strong as himself (*y*). Despite his request, he had not really shown the

(*q*) *Ibid.* 15–18.
(*r*) *Ibid.* 10–12.
(*s*) *Ibid.* 19–20.
(*t*) *Ibid.* 7.
(*u*) *Ibid.* 5, 14.
(*x*) *Ibid.* 25.
(*y*) *Ibid.* 26–27.

senate by cogent argument or evidence that he was really worthy of retaining their esteem; he assumed his just claims, and did not satisfactorily establish them; and the expression of his gratitude furnished no real support to his case. He asked whether any man brought by him to trial ever lost property through him (*z*); but this was not a relevant ground for substantiating his appeal. Indeed, the whole case is presented with far less skill, relevance, and cogency than the defence of Socrates as recorded in the *Apology*.

Moreover, the instances of cross-examination that we find in the speeches of Lysias are not at all as searching, impressive, and refutative as the short dramatic cross-examination of Meletus. Here is, for example, the cross-examination of Eratosthenes (*a*): "Did you carry off Polemarchus or not?" "I executed through fear the orders that the magistrates gave me." "Were you of the Council when our affair was examined?" "I was." "Did you concur with those who proposed to put us to death, or were you of a contrary opinion?" "I was of a contrary opinion." "Did you advise that we should die?" "I advised that you should die." "Believing that we deserved death, or that we should have suffered unjustly." "Believing that you should have suffered unjustly."

And this is the cross-examination of the corn-dealers (*b*): "Are you a domiciled alien?" "I am." "Established at Athens, do you intend to obey her laws or to follow your own will?" "I intend to obey her laws." "Do you agree that you deserve death if you have transgressed the laws in matters for which the penalty of death is prescribed?" "I should deserve it, undoubtedly." "Do you deny that you purchased more than fifty measures of wheat contrary to the prohibition of the law?" "I purchased on the order of the magistrates."

Cross-examination of this kind, flat, mechanical, and pointless, is not to be compared with that conducted by Socrates. Our conclusion is, then, that the speech of Socrates, apart from its profound and universal significance, beauty of language, and exalted tone, was an abler address and a more forcible defence than any speech that Lysias could have prepared for him. But, of course, it does not follow that the dicasts (who were influenced more readily by conciliatory prevarication and abject petitions than by

(*z*) *Ibid.* 24.
(*a*) Lysias, *c. Eratosth.* xii. 25–26.
(*b*) Lysias, *c. Frument.* xxii. 5.

intrepid frankness and independence on the part of a suitor) would have been of the same opinion—and there the comparison must end. We may, however, say this, that if a speech for the defence such as that contained in the *Apology*, which is manifestly marked throughout by truth and sincerity, did not convince the judges that the accused was a just, righteous, and God-fearing man, then it was simply a case of throwing pearls before swine.

Not only does the *Apology* possess great persuasive force as an oratorical effort, but it is also characterised by various distinctively forensic features, which do not always appear in the speeches of the experienced logographers, and which testify to considerable skill in advocacy. The defence proper (*c*) (that is, excluding the shorter speech in mitigation of punishment (*d*), and the last words of prophetic rebuke to the condemning judges (*e*) and exhortation to the acquitting judges (*f*)) opens with a customary exordium, which is a request to be allowed to plead in his own way, and is striking if not conciliatory; it proceeds to the statement of the charges against him (*g*); then to the refutation, first of the old accusations (*h*) and afterwards of Meletus's allegations (*i*); next there is a digression setting forth an "apologia pro vita sua" (*k*); and this is followed by a usual but unimpassioned peroration (*l*) justifying his method of address and protesting against the disgracefully cringing methods adopted by defendants and their appeals "ad misericordiam." Not only is the general structure of the speech in accordance with the best precedents of the rhetorical art, but we find in it also the accepted "topics" (τόποι) of the orators and the logographers (the "loci communes," or "loci argumentorum" of Cicero and Quintilian); and the use to some extent of technical terms, though Socrates (or Plato) not being conversant with the practice of law could not be expected to adhere strictly to the legal terminology,—so that we find besides the word γραφή (the general word for public action or prosecution) (*m*), the words ἔγκλημα (the plaintiff's declaration, information) (*n*), ἀντωμοσία (oath, or statement on oath in the

(*c*) *Apol.* 17 a–35 d.
(*d*) 35 e–38 c.
(*e*) 38 c–39 e.
(*f*) 39 e–42 a.
(*g*) 18 a–19 a.
(*h*) 19 a–24 b.
(*i*) 24 b–28 a.
(*k*) 28 a–34 b.
(*l*) 34 b–35 d.
(*m*) *Apol.* 26 b, 26 e, 27 e, 28 a.
(*n*) 24 c.

preliminary hearing) (*o*), and ἀντιγραφή (statement of the plaint) (*p*), used indiscriminately for Meletus's indictment. But Socrates declared to the judges that he would make use of words and expressions that happened to occur to him, and that they must not expect the terms and phrases of rhetoricians or lawyers (*q*). To say that it was his first appearance in a court of justice and that therefore he was a stranger to the language of the place, to beg the indulgence of the judges (*r*), to read out the indictment (*s*) (as is done frequently in the speeches of the professional orators (*t*), and to request an attentive hearing (*u*), are proper in the method of a pleader in court.

In addressing his judges (*x*), however, as ὦ ἄνδρες Ἀθηναῖοι (Athenians), or ὦ ἄνδρες (gentlemen) instead of ὦ ἄνδρες δικασταί (*y*) (gentlemen of the jury), he departed from the customary mode of address, though it was not the invariable one : thus Andocides, Aeschines, and Deinarchus used the appellation ὦ Ἀθηναῖοι ; and not infrequently Isocrates avoided the vocative altogether. But in one case Socrates made a striking discrimination in his form of address : he deliberately addressed the acquitting judges as ὦ ἄνδρες δικασταί, adding that in calling them " judges " he gave them their right name (ὑμᾶς γὰρ δικαστὰς καλῶν ὀρθῶς ἂν καλοίην) (*z*) ; whilst the condemning judges he continued to address as before, and on one occasion also as ὦ καταψηφισάμενοί μου (O ye who have condemned me) (*a*). It has been suggested that Socrates purposely refrained from calling the dicasts by their proper name, as they did not deserve the designation of " judges " on account of their prejudice against him. But this view is untenable, since he could not have believed that they were all equally prejudiced against him, and he could not have foreseen which of them would, according to his conception of judging aright, prove themselves worthy of their name.

To flatter the jury is a device to which pleaders in modern times frequently resort, and in ancient times it was resorted to still

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(*o*) 19 b, 24 b.
(*p*) 27 c.
(*q*) 17 c.
(*r*) 17 e–18 a.
(*s*) 19 b, 24 b.
(*t*) Cf. Demosth., *c. Stephan.* i. 46, p. 1115 ; Antiphon, i. (*In novercam*), 2 : vi. (*Super Chor.*), 16.
(*u*) *Apol.* 17 d, 18 a, 20 e, 21 a, 27 b, 30 c.
(*x*) Cf. Bonner, *loc. cit.*
(*y*) In one or two cases, for example, 18 a, 35 c, he seems to use the term δικασταί (judges, or jury), but does not really do so.
(*z*) 40 a. Also used at 40 e, 41 c.
(*a*) 39 c.

more frequently. Socrates' speech contains an excellent example, which is, however, very far indeed from the unashamed specimens of flattery and dissimulation found in the productions of contemporary logographers. When Meletus attributed to Socrates unbelief in the divinity of the sun and moon, saying that he held the sun to be a stone and the moon earth, Socrates asked him whether he thought he was accusing Anaxagoras, and whether he considered the jury to be so illiterate as not to know that those doctrines were found in the books of that philosopher (*b*). A promise to tell the truth and the whole truth obviously appertains to legal pleading, and on more than one occasion Socrates declared that he would tell or that he was telling the court nothing but the truth : for example, at the very beginning of his speech he denied that he was eloquent (as much as to say " I am no orator as Brutus is "), unless speaking the truth was eloquence (*c*) ; later on he said he was not joking, but only speaking perfect truth (*d*) ; and afterwards he remarked : " This, O men of Athens, is the truth and the whole truth ; I have concealed nothing, I have dissembled nothing " (*e*). Not only did he assure the jury he was telling the truth, but he also told them that his adversary was lying—in the manner approved by all litigants and their advocates : " How you, O Athenians, have been affected by my accusers I cannot tell ; but I know that they almost made me forget who I was—so persuasively did they speak ; and yet they have hardly uttered a word of truth. But of the many falsehoods told by them, there was one which quite amazed me . . . " (*f*). Socrates stated this with perfect composure and with the light of reason on his countenance ; whilst the modern practitioner would turn to the jury and " restraining his emotion with difficulty " would, in melodramatic fashion, point the " finger of scorn " at his opponent and proclaim aloud that he was a " liar." Like a skilful advocate who wishes to neutralise the effect produced by his opponent's emotional appeal to the jury, Socrates asked his judges to be influenced only by reason, and said it would have been wrong on his part to use persuasion and entreaty in order to countervail the force of reason (*g*). He also reminded the jurors of the oath they had taken (*h*), and asked them to bear it in mind

(*b*) *Apol.* 26 d.
(*c*) 17 b.
(*d*) 20 d.
(*e*) 24 a.
(*f*) 17 a ; cf. 17 b, 18 b, 19 d, 26 e.
(*g*) 35 c.
(*h*) *Ibid.*

and conformably thereto to judge in accordance with the law and not under the impulse of the moment. In order to emphasise the credibility of his witness (uncalled), Chaerephon, he spoke of his attachment to the democratic party to which the judges belonged, of his exile with them during the late Tyranny and his return with them (*i*). He referred to his military service to the State (*k*) ; but he did so, not like a modern pleader who puts it forward as an extenuating circumstance for the vile conduct of his client and asks for a favourable verdict or " preferential " treatment, but for the purpose of showing that his loyalty to his mission enjoined upon him by divine ordinance must certainly be as steadfast as was his obedience to the generals who had assigned his duties to him on the field of battle. Nevertheless, the unobtrusive reference to Potidaea, Amphipolis, and Delium was bound to commend him more or less to the consideration of the judges, and impliedly show them that he never shirked his duty. Of the questions put by Socrates (*l*) in accordance with the existing law and practice and of his searching cross-examination of the prosecutor we have already spoken ; it will be noted that on one occasion he appealed to the law (*m*), like an experienced lawyer, in support of his right not merely to interrogate the accuser, but also to compel him to answer when he was disinclined to do so (through fear of the negative arm of that formidable Socratic elenchus). In our own courts we hear every day counsel calling upon a witness to " tell the jury " this or that ; Socrates similarly said to Meletus : " Come now, tell the judges (or these gentlemen) . . . " (*n*). To abuse an opponent is a perennial practice of advocacy, and Socrates at times could not refrain from adopting it ; but he did so in the mildest form, perhaps with a gentle ironical smile, and certainly not with any histrionic gesture or violent outburst ; besides, he proceeded to prove the truth of what he said. " He says that I am a doer of evil, and corrupt the youth ; but I say, O men of Athens, that Meletus is a doer of evil, in that he pretends to be in earnest when he is only in jest, and is so eager to bring men to trial from a pretended zeal and interest about matters in which he really never had the smallest interest. And the truth of this I will endeavour to prove to you " (*o*).

(*i*) 20 e–21 a.
(*k*) 28 e.
(*l*) 24 c *seq.*
(*m*) 25 d.
(*n*) 24 d.
(*o*) 24 c.

A conspicuous example of Socrates' observance of forensic procedure is his reference to evidence and the use he makes of it. The *Apology* does not show the introduction of such evidence with all the formal explicitness observed, say, in the orations of Demosthenes or Lysias. (This has been pointed out by one or two writers (*p*).) In the extant legal speeches of the Attic orators, we usually find a formula of citation addressed to a witness, together with the parenthetic insertion of the word "deposition" to indicate the point at which his testimony was introduced, just as at other times the recital of a legislative enactment is indicated by the insertion of the word "law"; but it is to be noted that this formula of citation is not always found in these speeches (*q*). Now neither Socrates nor Plato was a legal orator, and Plato was not concerned about including in his account of the trial every formality in its strictly legal style; it was clearly his main object to give a living portrait of his master in his last conflict, without departing from its substantial truth. Nevertheless, the requirements of the law of evidence have by no means been passed over in the *Apology*, though it is not a verbatim report. Thus Socrates on one occasion announced his intention of calling a witness on his behalf, namely, Chaerephon's brother, who was present in court (*r*). It is true that nothing further is heard of this witness, but it is inconceivable that Socrates merely declared an intention without meaning to give effect to it, or that he carelessly omitted to call the witness who was at hand ready to give evidence. Similarly, when Socrates called upon Meletus to produce witnesses to prove the alleged corruption of the youth, and named various persons present in court who had been his companions or were their relatives, he knew very well that all these witnesses would confirm the truth of his own statements and disprove the allegation of the prosecution (*s*). No formal provision is made in the *Apology* for calling up these witnesses; it is plain that the prosecution did not call them, but it is also unimaginable, for several reasons, that Socrates neglected to make use of such powerful support: in the first place, he vigorously emphasised the probative cogency of

(*p*) For example, Schanz, *op. cit.*, p. 75: "Weder ein Aufrufen der Zeugen mit den gewöhnlichen Formeln, noch eine ausdrückliche Anknüpfung an die gehörten Zeugenaussagen ist vorhanden." Gomperz, *op. cit.*, vol. ii., p. 100.

(*q*) Cf. F. Blass, *Die Attische Beredsamkeit* (Leipzig, 1868–80), vol. iii., pt. i. p. 132.

(*r*) *Apol.* 21 a: καὶ τούτων πέρι ὁ ἀδελφὸς ὑμῖν αὐτοῦ οὑτοσὶ μαρτυρήσει, ἐπειδὴ ἐκεῖνος τετελεύτηκεν.

(*s*) 33 d–34 a.

this testimony; secondly, he knew quite well that it would influence the minds of the judges and so help his defence; thirdly, he could very easily have availed himself of it, for there the witnesses were before him; fourthly, he knew that a defendant, who issued a challenge to the prosecution to produce witnesses present in court who were claimed by him to be in his favour and then omitted to call them himself, would obviously be courting disaster. Gomperz, explaining the omission in the *Apology* in regard to the production of this evidence, says: "Plato has made use of this artifice, for stylistic or personal reasons, in order to avoid mentioning such evidence for the defence as actually was given in the course of the trial" (*t*). It is, however, very doubtful whether the exigencies of literary style were responsible for this suppression—inclusion was not incompatible with the magnificent style of Demosthenes—and it is difficult to see what personal reasons could have intervened: for one thing, mention in greater detail of such evidence would certainly have increased the credibility of the account—a matter about which Plato must assuredly have been solicitous. The reason, in our opinion, is, as we have already suggested, that Plato was not and did not purport to be a verbatim reporter, especially as he wrote several years after the event; his aim was to present a true portrait, without painting every minute detail. Plato was a philosopher and an artist with great dramatic instinct, and we cannot reasonably expect that an account from him would be the same as an account written by a legal historian.

Moreover, apart from this instance there are other references to evidence, though they seem to have been made in a more casual manner than the foregoing; for example, having told the dicasts of his opposition to the proposed illegal action arising out of the Arginusae incident, and of his resistance to the illegal order of the Thirty, Socrates added that the court could have many witnesses to prove these facts (*u*); but there is no indication that any of these were actually produced. There is a suggestion in Xenophon's *Apology* that might perhaps be taken as an indication of the fact that various witnesses did come forward. After giving an account of the cross-examination of Meletus, the writer says: "Much more than this, as is well known, was urged, both by Socrates himself and by his friends who advocated his cause. But it has not been my object to relate everything that occurred

(*t*) *Op. cit.*, vol. ii., p. 101.
(*u*) *Apol.* 32 e: καὶ τούτων ὑμῖν ἔσονται πολλοὶ μάρτυρες.

in connection with his trial" (*x*). It is not certain, however, whether this passage warrants the conclusion suggested; for the reference to Socrates' friends advocating his cause may mean those who vindicated his memory after the trial, or even defended him against imputations during his lifetime, without appearing as witnesses during the trial.

For the corroboration of several other matters of fact asserted by him, Socrates relied on common knowledge or on the personal knowledge of the judges; for example, as to his military service (*y*), his presidency at the trial of the generals (*z*), his aversion from physical speculations (*a*), Aristophanes' misrepresentations of him (*b*). According to the orators similar evidence appears to have been adduced frequently (*c*): for so many jurors sat together that it was not difficult to find among them some who happened already to know something of the facts laid before them; besides, the procedure at a trial in Athens resembled the transaction of public non-legal business more than it does with us, so that no exception was taken to bringing forward evidence in this way. Certain denials that Socrates made he could not properly have been called upon to prove; for example, that he did not teach privately or for pay (as the Sophists did) (*d*). If the prosecution asserted the contrary, he was justified in requiring them to corroborate their statements.

Having mentioned all these forensic features that characterised the speech of Socrates, we have now to point out one profound difference between his defence and the speeches in defence of accused persons which are found in the works of the Attic orators; and that difference is due to the fact that his character, disposition, and ideas were different from those of other men who were called upon to defend themselves before the dicasts. It was the usual practice then, and it is not a rare practice now, for a

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(*x*) Xen., *Apol.* 22: Ἐρρήθη μὲν δῆλον ὅτι τούτων πλείονα ὑπό τε αὐτοῦ καὶ τῶν συναγορευόντων φίλων αὐτῷ.

(*y*) Plato, *Apol.* 28 e.

(*z*) 32 a.

(*a*) 19 d: μάρτυρας δὲ αὐτοὺς ὑμῶν τοὺς πολλοὺς παρέχομαι.

(*b*) 19 c.

(*c*) Cf. Demosth., *c. Midiam*, 1, p. 514; 18, p. 520: Thus Demosthenes, at the very opening of his speech against Midias for an assault committed at the Dionysian festival, said: "The rudeness and the insolence, men of the jury, with which Midias uniformly behaves to all, are pretty well known, I imagine, both to you and the rest of my fellow-countrymen." And later on he observed: "For all that has taken place in the assembly, or before the umpires in the theatre, you, men of the jury, are my witnesses; and of all the statements those are most to be relied on, to the truth of which the hearers bear witness for the speaker." *C. Phorm.* 50, p. 922; Antiphon, vi. 25.

(*d*) 19 d, 31 c, 33 a.

prisoner, especially one on trial for his life, to appeal to the jury for compassion, at all events to do and say everything possible in order to conciliate them and secure their sympathy and favour. It was then customary for the accused to bring his family into court to beseech the judges for an acquittal. As Xenophon says (*e*) :

" . . . Notwithstanding that it was customary for litigants in the law courts to humour the judges in the conduct of their arguments by flattery and supplications contrary to the laws (*f*), notwithstanding also that defendants owed their acquittal by the court to the employment of such methods, he refused to do a single thing however habitual in a court of law which was not strictly legal. . . ." Not only did Socrates refuse to do this, but—what is of more striking import—he also frankly informed the judges of his deliberate refusal, which was based on the ground that such conduct was on the one hand discreditable to the accused and disgraceful to the State, and on the other hand it implied a request to the judges to commit perjury. We cannot refrain from quoting in full the dignified observations of the intrepid and great-souled Socrates (*g*).

" Perhaps there may be some one who is offended at me, when he calls to mind how he himself on a similar, or even a less serious occasion, prayed and entreated the judges with many tears, and how he produced his children in court, which was a moving spectacle, together with a host of relations and friends ; whereas I, who am probably in danger of my life, will do none of these things. The contrast may occur to his mind, and he may be set against me, and vote in anger because he is displeased at me on this account. Now if there be such a person among you—mind, I do not say that there is—to him I may fairly reply : My friend, I am a man, and like other men, a creature of flesh and blood, and not ' of wood or stone,' as Homer (*h*) says ; and I have a family, yes, and sons, O Athenians, three in number, one almost a man, and two others who are still young ; and yet I will not bring any of them hither in order to petition you for an acquittal. And why not ? Not from any self-assertion or want of respect for you. Whether I am or am not afraid of death is another question, of which I will not now speak. But, having regard to

(*e*) *Mem.* iv. 4. 4.
(*f*) Cf. Quintil. vi. 1. 7 : " Athenis affectus movere etiam per praeconem prohibebatur orator."
(*g*) *Apol.* 34 c–35 d.
(*h*) *Odyss.* xix. 163.

public opinion, I feel that such conduct would be discreditable to myself, and to you, and to the whole State. One who has reached my years, and who has a name for wisdom, ought not to demean himself. Whether this opinion of me be deserved or not, at any rate the world has decided that Socrates is in some way superior to other men. And if those among you who are said to be superior in wisdom and courage, and any other virtue, demean themselves in this way, how shameful is their conduct! I have seen men of reputation, when they have been condemned, behaving in the strangest manner: they seemed to fancy that they were going to suffer something dreadful if they died, and that they could be immortal if you only allowed them to live; and I think that such are a dishonour to the State, and that any stranger coming in would have said of them that the most eminent men of Athens, to whom the Athenians themselves give honour and command, are no better than women. And I say that these things ought not to be done by those of us who have a reputation; and if they are done, you ought not to permit them; you ought rather to show that you are more disposed to condemn the man who gets up a doleful scene and makes the city ridiculous, than him who holds his peace. But, setting aside the question of public opinion, there seems to be something wrong in asking a favour of a judge, and thus procuring an acquittal, instead of informing and convincing him. For his duty is, not to make a present of justice, but to give judgment; and he has sworn that he will judge according to the laws, and not according to his own good pleasure; and we ought not to encourage you, nor should you allow yourselves to be encouraged, in this habit of perjury—there can be no piety in that. Do not then require me to do what I consider dishonourable and impious and wrong, especially now, when I am being tried for impiety on the indictment of Meletus. For if, O men of Athens, by force of persuasion and entreaty, I could overpower your oaths, then I should be teaching you to believe that there are no gods, and in defending should simply convict myself of the charge of not believing in them. But that is not so—far otherwise. For I do believe that there are gods, and in a sense higher than that in which any of my accusers believe in them. And to you and to God I commit my cause, to be determined by you as is best for you and me."

His was not the trembling, cringing attitude of a terrified prisoner begging for mercy; it was rather that of a man standing in judgment on his judges, as Cicero admirably says: "Non

supplex aut reus, sed magister aut dominus videretur esse iudicum " (*i*). He was now humorous and witty, now shrewd and ironical; now showing contempt for or passive indulgence towards this or that allegation and the accuser who made it, now evincing disdain for that promiscuous assembly of citizens sitting, for three obols a day, as a court of justice to investigate questions beyond their understanding; but throughout he was proud and dignified, serene and self-possessed. Indeed, it looked as though he condescended to speak in his defence only in obedience to the law: " Let the event be as God wills," he observed, " in obedience to the law I make my defence " (*k*).

There can be no doubt that his judges were again and again irritated by his reflections, by his uncompromising reasoning, and by the strange tone of his seemingly haughty and exultant harangue (*l*); and their frequent interruptions showed their feelings. But we cannot agree with the view of some writers that he deliberately irritated them. He simply remained his natural self in the court, placing his trust exclusively in reason and not in the caprice of men, and disregarding whatsoever might happen to him, so long as he acted in accordance with the dictates of reason. Not in defiance, not through obstinacy, and not with a sense of life's overwhelming burden, but rather with all the frankness and truth and sincerity of his nature he could tell his judges that he would rather die after making a defence in his own manner than speak in their fashion and live (*m*). Jowett well says of him:

" His irony, his superiority, his audacity, 'regarding not the person of man,' necessarily flow out of the loftiness of his situation. He is not acting a part upon a great occasion, but he is what he has been all his life long, 'a king of men.' He would rather not appear insolent, if he could avoid it (*οὐχ ὡς αὐθαδιζόμενος τοῦτο λέγω*). Neither is he desirous of hastening his own end, for life and death are simply indifferent to him " (*n*).

But though he would not stoop to save his life by methods that were unacceptable to his reason, he was certainly not resolved to die—as some critics have imagined, following (and " improving ") the account of Xenophon's *Apology* (*o*), where Socrates is said to have declared that a sentence of death would save him from the

(*i*) Cic., *De Orat.* i. 54.
(*k*) *Apol.* 19 a.
(*l*) Cf., for example, 28 b.
(*m*) 38 e.
(*n*) *Op. cit.*, vol. ii., p. 106.
(*o*) 27, 32.

infirmities of old age, and that to die was better for him than to live. He was not indifferent to acquittal—we cannot agree with Grote who thought that he was hardly anxious to be acquitted (*p*). On the contrary, in the course of his speech he suggested several times to the jury—once well-nigh imploring them—that he should be spared, and he also explained why they should do so (*q*); he valued his life, for his own sake as well as for that of his fellow-citizens. Speaking of his consecrated task and of his acting as a gadfly to the sluggish State, he said to the judges: "You will not easily find another, gentlemen, to fill my place; so if you will take my advice, you will spare me" (*r*). Such an observation sounds very little like braving the judges and provoking them to condemn him to death. Also in his second speech (made when he was called upon to propose a counter-penalty) he deplored the too brief time allotted to him for his defence, and he added that had he had more time he might have convinced them of his innocence (*s*). Nor does this statement look like courting death. But throughout the whole course of his defence he steadfastly followed the highest leading vouchsafed to him, and was content to leave the issue in the hands of God (*t*), feeling assured that all would be for the best. "Herein consists his greatness, that he chose what was in harmony with himself in the face of extreme danger, with classic composure and unruffled brow" (*u*).

(*p*) *History of Greece*, vol. vii., pp. 154, 172. I accept without hesitation the contrary view of Zeller, *op. cit.*, p. 163, note.

(*q*) *Apol.* 30 c–d, 31 a, 36 b–37 a.

(*r*) 31 a: τοιοῦτος οὖν ἄλλος οὐ ῥᾳδίως ὑμῖν γενήσεται, ὦ ἄνδρες, ἀλλ' ἐὰν ἐμοὶ πείθησθε, φείσεσθέ μου.

(*s*) 37 a. See *infra*, p. 371.

(*t*) 19 a, 28 c, 29 d, 30 a, c, 35 d.

(*u*) Zeller, *op. cit.*, p. 164.

CHAPTER XVIII

THE VERDICT

Ἢν σὺ κακῶς δικάσῃς, σὲ θεὸς μετέπειτα δικάσει.
(Phocylides.)
(If ill thou judgest, God will judge thee after.)

Ὅι' αὐτῷ κακὰ τεύχει ἀνὴρ ἄλλῳ κακὰ τεύχων,
ἡ δὲ κακὴ βουλὴ τῷ βουλεύσαντι κάκιστη.
(Hesiod.)
(He for himself weaves woe who weaves for others woe,
And evil counsel on the counsellor recoils.)

Stultum consilium non modo effectu caret,
Sed ad perniciem quoque mortales devocat.
(Phaedrus.)
(Not only no result will foolish counsels show,
But to disaster oft they doom mankind.)

SOCRATES having concluded his speech in his defence, the herald of the court formally called upon the judges to consider their verdict, and to go up to the tribune and deposit their voting counters either in the urn of condemnation or in that of acquittal, according to their decision (*a*). We can imagine the increasing anxiety of Socrates' friends during this fateful procession of the five hundred judges. Were they influenced by his arguments ? Did he convince them that he was a good and religious-minded man who had not done what the prosecution alleged against him ? Did he irritate them unduly by his proud bearing and uncompromising stand to which they were not accustomed—which indeed had no parallel ? Did they really believe that the vague charges had been proved by Meletus and his associates ? Were they desirous of being rid of this pertinacious gadfly ? Could they possibly condemn to death a man who had never deliberately wronged anyone in act or word or thought ? Such questions as these, with all their conflicting hopes and fears, must assuredly have agitated the minds of his loving and beloved followers, till the announcement of the result was made by the herald. It was a majority of sixty in favour of condemnation, according to some texts of the *Apology*, and according to others only a majority of six (*b*).

(*a*) See *supra*, p. 257.
(*b*) 36 a.

The usually accepted text of Diogenes Laertius (*c*) states that 281 voted against him. Assuming this figure to be correct (though, of course, there is no certainty that it is), we must reconcile it with the statement in Plato's *Apology*. Now one reading of the latter says that if only three of the votes given against him had been cast the other way, he would have been acquitted ; another reading gives thirty instead of three (*cc*). In the former case the number voting for him would be 275 ; that is, 275 + 3 = 281 − 3, an equality of votes amounting to acquittal (*d*). In the latter case the number voting for him would be 221 ; that is, 221 + 30 = 281 − 30. In the former case the total number of voters would be 281 + 275 = 566 ; in the latter case it would be 281 + 221 = 502. Now we have already seen (*e*), that the number of dicasts usually elected for a court was a multiple of a 100 + 1. Therefore the number 566 would be very improbable, at all events if taken to represent the total number of judges sitting; if this number represented the voting judges only, the inference would be that some judges abstained from voting, so that the total number of judges sitting was 601—it is, however, difficult to believe that so many, if indeed any at all, abstained from voting in such a *cause célèbre*. But in the other reading we get 502. Allowing then for the possibility of a slight error (perhaps in Diogenes the number should be 280 instead of 281), we have 501 judges sitting, which is not only a usual number elected for an important trial, but also is in accordance with the principle of election, and with the reading of several of the best MSS. of Plato's *Apology*. If 251 be substituted for the 281 of Diogenes (as Böckh suggests), then the number on the other side would be 245, the total number of voters being 496 and five abstentions. Our conclusion, then, is that the result of the voting was as follows : 251 against Socrates and 245 for him, or 280 against him and 220 for him (*f*). Anyhow, these numerical differences are not now of great consequence : the important fact is that he was found guilty and by a small majority.

His speech, then, had made an impression on the court and persuaded a large number of the judges. But the greater number of them were not persuaded, and they apparently came to the conclusion that the defendant's teaching and activities were a danger to the community. It is not difficult to guess how they

(*c*) ii. 41.
(*cc*) See *infra*, p. 370.
(*d*) See *supra*, p. 259.
(*e*) See *supra*, p. 234.
(*f*) Cf. Zeller, *op. cit.*, p. 166 note.

arrived at their conclusion. His teaching was admittedly different from that of all other contemporary teachers; therefore it was regarded as an object of suspicion, and by many as an object of aversion. His fundamental principles of morality were paradoxical; therefore they were deemed to be sophistical. Fathers had heard their sons propounding some of these principles; therefore the sons were held to have been corrupted by the "Sophist." The judges—or many of them—had seen him represented on the stage as one who taught pupils how to make wrong prevail over right, and also as a mad speculator in things celestial who taught them to denounce their country's gods and worship others; hence there must be some foundation for this portrayal—as there was no smoke without fire. The Tyranny had only recently been overthrown and the democracy restored; therefore one who ventured to criticise democratic institutions and politicians was thought to be a mischievous babbler who was in favour of an oligarchical tyranny and so a traitor to the existing régime. The old-established ways, good or bad, were deemed by many to be the right and proper ways; therefore one who was opposed to things established and suggested reforms was a dangerous and intolerable revolutionary.

That this must have been the attitude of many of the judges at the time is shown indirectly but unmistakably, not only by what Socrates told the judges themselves of the risk incurred by a man of uncompromising righteousness who engaged in politics or expressed political views unacceptable to the multitude (*g*), but also by the manner in which Plato speaks of the low estate of "philosophy," the small number of her true disciples, of their difficulties and tribulations in fulfilling their office, of the menace of the multitude, and the impotence of the champion of justice if he tried to be the "physician" of the State instead of its flatterer and servant.

". . . The worthy disciples of philosophy," says Plato, "will be but a small remnant; perchance some noble and well-educated person, detained by exile in her service, who in the absence of corrupting influences remains devoted to her; or some lofty soul born in a mean city, the politics of which he contemns and neglects, and there may be a gifted few who leave the arts, which they justly despise, and come to her;—or peradventure there are some who are restrained by our friend Theages' bridle; for everything in the life of Theages conspired to divert him from philo-

(*g*) *Apol.* 32.

sophy; but ill-health kept him away from politics. . . . Those who belong to the small class have tasted how sweet and blessed a possession philosophy is, and have also seen enough of the madness of the multitude; and they know that no politician is honest, nor is there any champion of justice at whose side they may fight and be saved. Such an one may be compared to a man who has fallen among wild beasts—he will not join in the wickedness of his fellows, but neither is he able singly to resist all their fierce natures, and therefore seeing that he would be of no use to the State or to his friends, and reflecting that he would have to throw away his life without doing any good to himself or others, he holds his peace, and goes his own way. He is like one who, in the storm of dust and sleet which the driving wind hurries along, retires under the shelter of a wall; and seeing the rest of mankind full of wickedness, he is content, if only he can live his own life and be pure from evil or unrighteousness, and depart in peace and good-will, with bright hopes" (*h*).

The proceedings, however, were not yet over, and the death penalty demanded by the prosecution was not necessarily the penalty that was to be inflicted. The offence of which the accused was found guilty was one of those for which the law had not specifically prescribed a punishment. Accordingly it remained still to be determined by the dicasts, though their discretion in this respect was limited. It was the Athenian practice to ask the prisoner if he acquiesced in the penalty cited by the prosecutor in the indictment, and if not he was permitted to propose a counter-penalty (*i*); if he did so, the judges had then to choose one or the other. Socrates having thus been called upon to suggest an alternative penalty, delivered a more amazing speech than ever. It is remarkable, especially for two points: first, it contains a proposal which must have baffled all the different expectations of even his most intimate friends, and has astonished the world since; secondly, to those interested in Athenian legal administration, it is apparently the only recorded speech that so excellently illustrates this peculiar procedure.

A further access of solicitude seized the minds of Socrates' friends as he proceeded to address the court once again. Would he accept the penalty demanded by Meletus? Would he propose exile—he who had been so attached to the city that he had scarcely ever crossed its boundary? Would he simply say a few words

(*h*) *Repub.* vi. 496 b, c; cf. *ibid.* vi. 488; *Gorgias*, 521 a; *Polit.* 299 b.
(*i*) See *supra*, p. 260.

showing his contempt for the decision and then remain proudly silent ? He did none of these things. Very few people among those in court—if any—could have foreseen what he suggested should be done to him, although hardly anything could have been more characteristic of him than his seemingly mocking or defiant suggestion. It need not after all surprise us if we bear in mind his ideas and his character, particularly his unfailing acceptance of the supremacy of reason coupled with his absolute fearlessness. (Many of us talk about our being guided by reason rather than by emotion, but very few among us follow it so consistently, dispassionately, and implicitly, as Socrates did ; many of us hold fast to the noble counsel " Be just and fear not," but few carry it out with such uniformity, tenacity, and disregard of consequences as Socrates did.) Socrates, therefore, could not have asked for anything other than justice. But justice meant to give each man his due. Therefore, confident of his innocence of the crime charged against him, despite his conviction, and mindful of his service to his State he specified what he really thought was his due. In this he was serious, because it was in perfect accord with his reason ; and yet considering the position in which he was placed and the utter incompatibility of his suggestion with the general expectation and with the view of the condemning judges, his seriousness must have been a little coloured by a sense of tragic humour. However this may be, here is the speech he delivered and it must be given in full (would to Heaven we had much more to give !) :

" There are many reasons why I am not grieved, O men of Athens, at the vote of condemnation. I expected it, and am only surprised that the votes are so nearly equal ; for I had thought that the majority against me would have been far larger ; but now, had thirty votes gone over to the other side, I should have been acquitted (*ii*). And I may say, I think, that I have escaped Meletus. I may say more ; for without the assistance of Anytus and Lycon, any one may see that he would not have had a fifth part of the votes, as the law requires (*k*), in which case he would have incurred a fine of a thousand drachmae.

" And so he proposes death as the penalty. And what shall I propose on my part, O men of Athens ? Clearly that which is my due. And what is my due ? What return shall be made to the man who has never had the wit to be idle during his whole life ; but has been careless of what the many care for—wealth, and

(*ii*) See *supra*, p. 367.
(*k*) See *supra*, p. 231.

family interests, and military offices, and speaking in the assembly, and magistracies, and plots, and parties. Reflecting that I was really too honest a man to be a politician and live, I did not go where I could do no good to you or to myself; but where I could do the greatest good privately to every one of you, thither I went, and sought to persuade every man among you that he must look to himself, and seek virtue and wisdom before he looks to his private interests, and look to the State before he looks to the interests of the State; and that this should be the order which he observes in all his actions. What shall be done to such an one? Doubtless some good thing, O men of Athens, if he has his reward; and the good should be of a kind suitable to him. What would be a reward suitable to a poor man who is your benefactor, and who desires leisure that he may instruct you? There can be no reward so fitting as maintenance in the Prytaneum, O men of Athens, a reward which he deserves far more than the citizen who has won the prize at Olympia in the horse or chariot race, whether the chariots were drawn by two horses or by many. For I am in want, and he has enough; and he only gives you the appearance of happiness, and I give you the reality. And if I am to estimate the penalty fairly, I should say that maintenance in the Prytaneum is the just return.

"Perhaps you think that I am braving you in what I am saying now, as in what I said before about the tears and prayers (*l*). But this is not so. I speak rather because I am convinced that I never intentionally wronged any one, although I cannot convince you —the time has been too short; if there were a law at Athens, as there is in other cities, that a capital case should not be decided in one day, then I believe that I should have convinced you. But I cannot in a moment refute great slanders; and, as I am convinced that I never wronged another, I will assuredly not wrong myself. I will not say of myself that I deserve any evil, or propose any penalty. Why should I? Because I am afraid of the penalty of death which Meletus proposes? When I do not know whether death is a good or an evil, why should I propose a penalty which would certainly be an evil? Shall I say imprisonment? And why should I live in prison, and be the slave of the magistrates of the year—of the Eleven? (*ll*) Or shall the penalty be a fine, and imprisonment until the fine is paid? There is the same objection. I should have to lie in prison, for money I have none, and cannot

(*l*) See *supra*, p. 362.
(*ll*) See *supra*, p. 225.

pay. And if I say exile (and this may possibly be the penalty which you will affix) I must indeed be blinded by the love of life, if I am so irrational as to expect that when you, who are my own citizens, cannot endure my discourses and words, and have found them so grievous and odious that you will have no more of them, others are likely to endure me. No, indeed, men of Athens, that is not very likely. And what a life should I lead, at my age, wandering from city to city, ever changing my place of exile, and always being driven out! For I am quite sure that wherever I go, there, as here, the young men will flock to me; and if I drive them away, their elders will drive me out at their request; and if I let them come, their fathers and friends will drive me out for their sakes.

"Some one will say: Yes, Socrates, but cannot you hold your tongue, and then you may go into a foreign city, and no one will interfere with you? Now I have a great difficulty in making you understand my answer to this. For if I tell you that to do as you say would be a disobedience to the god, and therefore that I cannot hold my tongue, you will not believe that I am serious; and if I say again that daily to discourse about virtue, and of those other things about which you hear me examining myself and others, is the greatest good of man, and that the unexamined life is not worth living, you are still less likely to believe me. Yet I say what is true, although a thing of which it is hard for me to persuade you. Also, I have never been accustomed to think that I deserve to suffer any harm. Had I money I might have estimated the offence at what I was able to pay, and not have been much the worse. But I have none, and therefore I must ask you to proportion the fine to my means. Well, perhaps I could afford a mina, and therefore I propose that penalty: Plato, Crito, Critobulus, and Apollodorus, my friends here, bid me say thirty minae, and they will be the sureties. Let thirty minae be the penalty; for which sum they will be ample security to you" (*m*).

Socrates began his speech by protesting against the demand that he should suggest a penalty to be inflicted on him, as he was not guilty of any offence and so was not liable to punishment. Hegel (*n*) commenting on this view of Socrates says that it was no longer a question then of his guilt or his innocence: for he had already been found guilty by the court. The obvious reply to this is that Socrates was not looking at the question from the point of

(*m*) *Apol.* 36 a–38 b.
(*n*) *Op. cit.*, p. 441.

view of the court ; it was not his view that the Athenian Government or any of its departments could do no wrong. He knew that he was in a minority opposed to the majority, and he knew that a great number of voices did not necessarily make a thing right. He had been found guilty by a small margin of votes, and a large number of judges thought him not guilty ; and here he was in opposition to the majority, as he had been on more than one occasion before, when his action was shown to be justified. Hegel holds that such resistance was incompatible with his refusal during his imprisonment to infringe the law by endeavouring to escape from prison. This inconsistency must be admitted ; but that is not to say, as Hegel says, that the refusal to escape implied such a regard for the decision of the court as to amount to an acknowledgment of guilt (*o*). Hegel finds fault with Socrates for not acquiescing in the decision of the court, and he points out that Pericles submitted to the judgment of the people, and that in Rome the noblest men did not object to beg of the citizens. " There is nothing dishonouring to the individual in this, for he must bend before the general power, and the real and noblest power is the people " (*p*). Apparently to the mind of Hegel the exercise of tyrannical power by a majority is a noble function, and must never be resisted by the minority, but should be unreservedly accepted by them as though they were so many slaves or automata. We need not make further comment on this view, except to say that Hegel's condemnation of Socrates' attitude is supported by such arguments as this (*q*). Hegel also says that the fact that Socrates refused to determine the punishment and " thus disdained the juridical power of the people " led to his condemnation (*r*). He refused only at first, but afterwards agreed to determine the penalty ; and he did not, by his attitude, necessarily disdain the juridical power of the people. He simply objected to what he conceived to be a miscarriage of justice ; and his condemnation was due not to the cause assigned by Hegel, but to the fact that the penalty fixed by Socrates was rejected by the court as inadequate.

It has been suggested that when Socrates proposed as a counter-penalty the very small fine of a mina, his speech, which had all the time been on a lofty plane of self-vindication and in which

(*o*) See *infra*, p. 386.
(*p*) *Ibid.*
(*q*) See further *infra*, p. 414, on the question whether the condemnation was just.
(*r*) *Ibid.*, p. 442.

honoured maintenance at the Prytaneum was proposed with magnificent audacity, suddenly fell to an anticlimax. According to the account of Diogenes Laertius (*s*), Socrates first of all named a fine and then, when it was rejected, declared that he really deserved as a public reward to be maintained at the Prytaneum. We can, however, unreservedly accept Plato's account instead of that of Diogenes : first, it intrinsically possesses far higher authority, and secondly it is more in keeping with the character of Socrates and his entire attitude towards the prosecution. He was conscious, nay profoundly confident, of his innocence, and therefore it was contrary to his rational principles of conduct to suggest an undeserved penalty ; indeed to do so would have been in his view a violation of justice. Therefore in perfect consistency he suggested that a public distinction should be conferred on him as a mark of public gratitude. This no doubt sorely annoyed many of the judges, and may have amused others, though it was strictly in accordance with the Socratic logic. And we may be certain that it was not on account of their annoyance that he suddenly proposed a fine of a mina. We have to remember that many of his friends were near him at the time ; and we can well imagine that as soon as they heard the proposal in regard to the Prytaneum they realised that it was a suicidal suggestion, and hence at once intervened begging Socrates that he should offer to pay a fine. Out of deference to the earnest request of his friends he did so, offering what he thought he could afford to pay ; having throughout his life practised self-denying independence and refused gifts he could not on his own initiative have pledged the credit of his companions for a larger sum, knowing that he could not repay them. The offer of a mina must, of course, have been received by the court with scornful laughter ; whereupon Plato, Crito, Critobulus, and Apollodorus having conferred together requested him to say thirty minae, for which they would be sureties for him. Thus what seems to have been of the nature of an anticlimax was due not to an immediate transformation of Socrates' attitude effected spontaneously and on his own account ; it was due largely to the entreaties of his friends. To this factor may be added other considerations that probably weighed with him, for example, the interests of his family, the consciousness that he was still needed in Athens and that he would be deserting his post assigned to him if he gave the judges

(*s*) ii. 42–43.

no alternative but to remove him, and also the possibility of frustrating the prosecutors' malicious design and so preventing a judicial crime that would reflect dishonour on the State (*t*).

For once, then, Socrates gave way to inconsistency, but it was clearly an inconsistency that was not actuated by selfish, unworthy motives. This surrender at the last moment, especially as it is bluntly described in the two or three lines of the *Apology*, seems to us aesthetically inappropriate, and from the point of view of Socrates' character somewhat incongruous; perhaps many of us would wish he had concluded his address on the exalted note and in the spirit of the indignant challenge that characterised the rest of it. However this may be, Plato acted here not as a visionary contemplating a consummation of transcendent fitness and propriety, but as a recorder of actual facts; and, to be sure, the very inclusion of this fact persuades us to accept it as historical, and strengthens our confidence in the truth of the whole account he has left us. We are told in Xenophon's *Apology* (*u*) that when Socrates was called upon to propose a counter-penalty, he refused to do so himself and also declined to let his friends do so for him, on the ground that such an act implied a confession of guilt. The report of Plato, however, is to be preferred, for the reason—if for no other—that he was present at the trial and Xenophon was not.

The view of Riddell (*x*) and others that the proposal of the counter-penalty of thirty minae was wholly ironical is therefore untenable. To the remonstrances of his friends and their entreaties that for the sake of themselves, his family, and his fellow-citizens generally he should endeavour his utmost to save his life, Socrates could not possibly have yielded in an ironical manner. The very fact of his mentioning the four sureties by name militates against such a conclusion. Nor can such a conclusion be supported by saying that Socrates could have had no serious expectation that his offer would be accepted. In the first place thirty minae (3,000 drachmae) was a very substantial sum,—it was not a small sum, as some writers have imagined, who have merely expressed it in modern English money and have disregarded the economic conditions and money values of the time; and we are not justified in assuming that Socrates knew it would be rejected. Secondly, even if he thought there was no reasonable chance of its

(*t*) Cf. E. W. Adams, "The Death of Socrates," in *Hibbert Journal*, vol. xxii. (1924), pp. 519, 520.
(*u*) 23.
(*x*) *Op. cit.*, p. xi.

being accepted, he could well have made the offer seriously, without turning it into an ironical jest.

Socrates, then, having proposed a counter-penalty of a fine of thirty minae, the judges proceeded to vote on the question whether the definitive punishment should be death proposed by the prosecution or the fine proposed by the prisoner. The result was what we might have expected from Socrates' attitude so exasperating to the judges. There can be no doubt that his sincere, independent and dignified spirit was interpreted as arrogance and defiance; and in the view of many of the judges, who (despite their three obols a day) naturally thought they were the living embodiment of the majesty of the law and the sovereignty of the people, arrogance and defiance was the last thing in the world to be tolerated by them. Hence there could not have been anything but an increase in the hostile majority against him (*y*). Bearing in mind that nearly half of the number of judges had before voted for acquittal altogether, we can be pretty certain, as Xenophon says (*z*), that had Socrates in the first place willingly proposed the fine of thirty minae and shown due submission to the jurors, and in a conciliatory tone begged their indulgence—as was invariably done by defendants of even the most eminent station—he would have been acquitted. But had he done this, he would not have been Socrates; and we believe that none of those who have realised the truth and beauty of his character, the nobility and fortitude of his spirit, and the unquenchable aspiration of his soul, could wish that he had abased himself before the miscellaneous assembly of dicasts and played the part of a suppliant in the evening of his free and wonderful life.

"No one who reads the 'Platonic Apology' of Sokrates," says Grote, "will ever wish that he had made any other defence. But it is the speech of one who deliberately forgoes the immediate purpose of a defence—persuasion of his judges; who speaks for posterity, without regard to his own life—'sola posteritatis cura, et abruptis vitae blandimentis' (*a*). The effect produced upon the Dikasts was such as Sokrates anticipated beforehand, and heard afterwards without surprise as without discomposure, in the verdict of guilty. His only surprise was, at the extreme

(*y*) According to Diog. Laert. ii. 42, the former majority was increased by eighty votes.

(*z*) *Mem.* iv. 4. 4.

(*a*) "These were the striking words of Tacitus (*Hist.* ii. 54) respecting the last hours of the Emperor Otho, after his suicide had been fully resolved upon, but before it had been consummated. . . ."

smallness of the majority whereby that verdict was passed (*b*). And this is the true matter for astonishment. Never before had the Athenian Dikasts heard such a speech addressed to them. While all of them doubtless knew Sokrates as a very able and very eccentric man, respecting his purposes and character they would differ; some regarding him with unqualified hostility, a few others with respectful admiration, and a still larger number with simple admiration for ability, without any decisive sentiment either of antipathy or esteem. But by all these three categories, hardly excepting even his admirers, the speech would be felt to carry one sting which never misses its way to the angry feelings of the judicial bosom, whether the judges in session be one or a few or many—the sting of 'affront to the court.' The Athenian Dikasts were always accustomed to be addressed with deference, often with subservience: they now heard themselves lectured by a philosopher who stood before them like a fearless and invulnerable superior, beyond their power, though awaiting their verdict; one who laid claim to a divine mission, which probably many of them believed to be an imposture—and who declared himself the inspired uprooter of 'conceit of knowledge without the reality,' which purpose many would not understand, and some would not like. To many, his demeanour would appear to betray an insolence not without analogy to Alkibiades or Kritias, with whom his accuser had compared him" (*c*).

It may be that some of the dicasts, deeply resenting the defendant's independence, self-assurance, and refusal to conciliate them, compared him to such men as Critias and Alcibiades. But if they really did they made, to be sure, a profound mistake, and if Grote himself suggests the tenability of the comparison he is quite wrong. There was nothing whatever in Socrates' demeanour or in his language that resembled the aggressiveness and truculence of a Critias or the overweening pride and disdainful haughtiness of an Alcibiades. One may just as well say, for example, that Bismarck was like Tolstoi, because they were both inclined to be uncompromising in regard to their respective views. So they were—but what a world of difference in their ways, their attitude, and their motives! Further, from the tone of Grote's remarks it would seem as though Socrates had of set purpose provoked a sentence of condemnation by an arrogant and unseemly defiance of the court and the law. Socrates did not do this at all, nor does

(*b*) Plato, *Apol.* 36 a.
(*c*) *History of Greece*, vol. vii., pp. 158–159.

Xenophon say so; and Grote exaggerates when he states that Socrates asserted his mission "ostentatiously." On the contrary, he simply remained cool and dignified, appealing to the judges' reason rather than to their emotion; and he declined, firmly but gently, to surrender his principles at the price of arousing their compassion and gaining their favour. In other words, if many of the dicasts became enraged against him, it was not because of anything he did or said wrongfully during the trial, but rather because he declined to act as an abject suppliant. Again, it is also an unwarrantable assumption on the part of Grote to say that Socrates would have assumed less dignity, and so would not have provoked the dicasts had he been twenty years younger (*d*).

After the sentence of death was pronounced, Socrates was given an opportunity of saying a few more words to the court—the last he was to utter in public. His serene demeanour was still unchanged, though in his remarks there was a deeper vein of seriousness. He had regarded condemnation from the first as a foregone conclusion; and he was quite reconciled to it. He felt assured, as he had been throughout, that they were putting him to death, simply because they wanted to silence him, and not because he had committed a determinate offence punishable by the law (*e*). He addressed first the judges who voted against him: he pointed out to them the grave error they had committed —they convicted him, but truth convicted them of villainy and wrong (*καὶ νῦν ἐγὼ μὲν ἄπειμι ὑφ' ὑμῶν θανάτου δίκην ὄφλων, οὗτοι δ' ὑπὸ τῆς ἀληθείας ὠφληκότες μοχθηρίαν καὶ ἀδικίαν* (*f*)); he justified his refusal to cringe to them, beg for mercy, and try in that way to avoid death; as a seer as well as their censor he asserted that it was much harder to escape evil than death, and for his part he was prepared to submit willingly to the fate that had overtaken him. Here are some of his never-to-be-forgotten words addressed to an audience that seemed to be puny creatures beside him towering majestically over them:

"Not much time will be gained, O Athenians, in return for the evil name which you will get from the detractors of the city, who will say that you killed Socrates, a wise man; for they will call me wise, even though I am not wise, when they want to reproach you. If you had waited a little while, your desire would have been fulfilled in the course of nature. For I am far advanced

(*d*) *Ibid.*
(*e*) *Apol.* 38 c.
(*f*) 39 b.

in years, as you may perceive, and not far from death. I am speaking now not to all of you, but only to those who have condemned me to death. And I have another thing to say to them: You think that I was convicted because I had no words of the sort which would have procured my acquittal—I mean, if I had thought fit to leave nothing undone or unsaid. Not so; the deficiency which led to my conviction was not of words—certainly not. But I had not the boldness or impudence or inclination to address you as you would have liked me to do, weeping and wailing and lamenting, and saying and doing many things which you have been accustomed to hear from others, and which, as I maintain, are unworthy of me. I thought at the time that I ought not to do anything common or mean when in danger; nor do I now repent of the style of my defence; I would rather die having spoken after my manner, than speak in your manner and live. For neither in war nor yet at law ought I or any man to use every way of escaping death. Often in battle there can be no doubt that if a man will throw away his arms, and fall on his knees before his pursuers, he may escape death; and in other dangers there are other ways of escaping death, if a man is willing to say and do anything. The difficulty, my friends, is not to avoid death, but to avoid unrighteousness; for that runs faster than death. I am old and move slowly, and the slower runner has overtaken me, and my accusers are keen and quick, and the faster runner, who is unrighteousness, has overtaken them. And now I depart hence condemned by you to suffer the penalty of death,—they too go their ways condemned by the truth to suffer the penalty of villainy and wrong; and I must abide by my award—let them abide by theirs. I suppose that these things may be regarded as fated,—and I think that they are well" (*g*).

He then went on to utter a prophecy addressed to the condemning judges, whom he described as men who had slain him (οἳ ἐμὲ ἀπεκτόνατε) (*h*). They wrongly imagined that by putting him to death they would be relieved from rendering an account of their lives; for other accusers, whom he had hitherto restrained (that is to say, his associates), would arise, younger and more inconsiderate than himself, and they would make more vigorous attacks on them and trouble them more insistently than he, an old man, had been doing. They were mistaken if they thought that by putting men to death they might prevent the censure of

(*g*) 38 c–39 b.
(*h*) 39 c.

their evil lives ; the easiest and most honourable way to avoid it was not by suppressing others but by improving themselves (*i*).

Turning to the acquitting judges—and these he called true judges—he told them that his customary prophetic monitor, which had often intervened in the most trifling matter, had not uttered an opposing voice in this crisis of his fate, from which wonderful circumstance he concluded that what had happened to him must be a good. For death was either an annihilation—like a dreamless sleep—or a migration of the soul to another sphere, and in either case it would be an ineffable gain. If perchance a man should arrive in another world and so be delivered from those who deemed themselves judges, and instead should find there veritable judges, as well as the great seers, poets, and heroes of old, it would be unspeakable bliss to converse and associate with them and interrogate them, without the fear of being put to death for asking questions. They ought therefore to contemplate death with hopefulness, and remember that no evil could come to a good man either in life or after death. Recognising, then, that the release from earthly troubles was better for him, he bore no ill-will to his accusers or to those who condemned him, though they intended to injure him,—wherefore they deserved blame. He asked one favour of them : that they should trouble and censure his sons when grown up, if they cared for riches or for anything else more than for virtue, or if they pretended to be what they were not ; that was what he himself had done to his fellow-citizens, so that if they in their turn acted thus, he and his sons would receive justice at their hands. He concluded his address with these simple, yet soul-stirring words which breathe perfect resignation and more than human fortitude : " But now the hour of departure has arrived : I go to die and you to live ; but which of us is going the better way is known only to God " (*k*).

There seems to be a slight touch of sadness in the last few words ; but it is a sadness that comes not through his having been brought to the portal of death, but rather through the sense of that long parting which touches every mortal heart, and through the consciousness of his imperfect knowledge and of the uncertainty of it all. Nevertheless, the whole of his speech is suffused with an invincible spirit of trustfulness and optimism, with the sense of a governing force in the universe that makes for righteousness, and with the hope that wisdom and virtue will

(*i*) 39 c–d.
(*k*) 39 e–42 a.

ultimately triumph. Though—as we have already suggested (*l*) —we cannot confidently infer from the *Apology* that Socrates believed in immortality of the soul, he may none the less have had faith in another existence on some supernal plane, where man's profoundest and most intimate aspirations might come near to fulfilment, after his life's fitful fever was over. He would probably, then, have welcomed such great sayings as that of Dante : " In la sua volontate è nostra pace " (*m*), and that of the *Wisdom of Solomon :* " The souls of the righteous are in the hand of God, and there shall no torment touch them " (*n*). The comment of Xenophon on the whole defence of Socrates and on the way in which he received the sentence of death is as precise as it is just :

" He was called upon to exhibit the full robustness of his soul and acquire glory in addition, partly by the style of his defence —felicitous alike in its truthfulness, its freedom, and its rectitude —and partly by the manner in which he bore the sentence of condemnation with infinite gentleness and manliness. Since no one within the memory of man, it is admitted, ever bowed his head to death more nobly " (*o*).

This final speech of his was made whilst the officers of the Eleven were making preparations to remove him to the prison-house (*p*). According to our judicial practice a condemned man is not allowed to address the court ; and it has been doubted whether Socrates was really permitted to make a speech rebuking those who had condemned him to death, and prophesying the punishment that awaited them. But, after all, Athenian procedure was not like ours ; it was much less formal, less technical, and less complicated, and it was far more flexible, and therefore adaptable to the particular exigencies of each case. Our procedure looks sometimes as if cases had perforce to be adapted to it, Procrustes-like ; but even with us judges have come more and more to pay heed to the spirit of the law, the actual merits of each case, and the demands of the public conscience, and it is conceivable that a modern judge might permit a man sentenced to death to make a speech, say, if there were extenuating circumstances, and if the condemned man had been recommended to mercy by the jury. And that was in effect the position of Socrates, for the verdict had not been a unanimous one, many of the

(*l*) *Supra*, p. 123.
(*m*) *Par.* iii. 85.
(*n*) iii. 1.
(*o*) *Mem.* iv. 8. 1–2 (Dakyns' translation).
(*p*) *Apol.* 39 e.

judges having thought him innocent. However this may be, we cannot go behind Plato's account; he could not possibly have falsified it, either deliberately or unintentionally, to such an extent as to represent to his contemporaries—including hundreds who had been present at the trial—that a substantial speech had been delivered by Socrates at the conclusion of the trial, when in fact he had not done so at all. We must conclude, therefore, that it was not incompatible with the Athenian system to allow a man to address the court after he was sentenced to death (*q*); but we must add that there seems to be no record of a case parallel to that of Socrates, though cases are mentioned in which strangers were permitted to deliver informal addresses after the sentence was pronounced (*r*).

The position of Socrates in deliberately setting his own conviction and sense of right against the formal legalism of the judges —or rather of the State—and against the customary practices indulged in by defendants before the dicastery, may be compared to the position of Antigone who opposed her own sense of right and instinctive sisterly affection to the arbitrary legalism of sovereign authority; and the tragic conflict described in the *Apology* possesses various features that are analogous to those of the conflict depicted in Sophocles' *Antigone* some forty years earlier (*s*). The attitude of Antigone, however, after her condemnation was in one respect altogether different from that of Socrates after his condemnation. Though she was, like Socrates, without fear, steadfast in the promptings of her own conscience, unconciliatory towards Creon, and ever glorying in her action, she uttered such vigorous protests against the injustice of her condemnation and her untimely death, that she had to be dragged away by the officers: but, then, she was in the bloom of youth with all her life still before her, whilst Socrates knew that having already reached the evening of his life his allotted span was in any case nearing its end.

(*q*) Some writers (for example, Schanz, *op. cit.*, Wilamowitz-Moellendorff, *op. cit.*) regard this final speech of Socrates as mere fiction; but this view is rejected by Burnet, *Plato's Euthyphro, Apology and Crito*, pp. 161–162.

(*r*) Antiphon, vi. (*Super Chor.*) 21; cf. Menzel, *loc. cit.*, p. 50.

(*s*) Cf. Grote, *Plato and the Other Companions of Socrates*, vol. i., pp. 301–302, note; H. Koechly, "Sokrates und sein Volk," in *Akademische Vorträge und Reden* (Zürich, 1859), p. 382: "In Sokrates' Schicksal liegt uns eine weltgeschichtliche Tragödie vor, so grossartig, wie kaum eine andere, so vollkommen, wie jene poetische Tragödie, für welche 40 Jahre früher Sophokles nicht mit dem poetischen Siegeskranze, sondern mit dem Feldherrnstabe belohnt worden war."

We do not wonder that, considering the very structure and the immanent spirit of Socrates' defence, his undaunted bearing and inspiring words, the *Apology* came to be regarded by his successors as something more than a forensic speech in a conflict between him and his adversaries. It was regarded indeed as a manifesto of intellectual freedom, a triumph of inner light over a hostile environment, of explicit reason and deliberately accepted principle over unexamined convention, blind caprice, and inveterate prejudice, a victory of the living soul over the menace of death. It was above all an expression of the actual life of a man who had lived as he had spoken, and so it was a revelation of the potentialities of man in the arduous adventure of his earthly pilgrimage. It showed how one who was pure of heart and armed with truth might "dare the unpastured dragon in his den." The *Apology* can therefore be fittingly taken as a beacon light for all schools of philosophy; as a heartening call to those whose aspirations transcend the common ways of men, to those who set out to battle for the right; and also as a consolatory appeal to those whose hopes and endeavours seem to be frustrated.

It was the perusal of this brief speech that brought Zeno from his distant home in Cyprus to the city of Socrates, and so eventually led to the foundation of the Stoic philosophy, which has exercised such a profound influence on human thought and the fashioning of life.

CHAPTER XIX

SOCRATES IN PRISON—HIS DEATH

Εἰ σῶμα δοῦλον, ἀλλ' ὁ νοῦς ἐλεύθερος.

(Sophocles.)

(Though my body is enslaved my mind is free.)

Τὸ μὲν τελευτῆσαι πάντων ἡ πεπρωμένη κατέκρινε, τὸ δὲ καλῶς ἀποθανεῖν ἴδιον τοῖς σπουδαίοις.

(Isocrates.)

(To die is the destined lot of all, but to die nobly is the peculiar privilege of the good.)

Ὕπν' ὀδύνας ἀδαὴς, ὕπνε δ' ἀλγέων,
εὐαδὲς ἡμῖν ἔλθοις,
εὐαίων εὐαίων, ὦναξ.

(Sophocles.)

(Come, blowing softly, sleep, that know'st not pain,
Sleep, ignorant of grief,
Come softly, surely, kingly sleep, and bless.)

Μέγα χαῖρε, θεοὶ δέ τοι ὄλβια δοῖεν.

(Homer.)

(Farewell, and Heaven bless thee !)

AFTER his last words were spoken in court Socrates was handed over to the officers of the Eleven and was taken to " the House " (the colloquial designation of the Athenian prison). In ordinary circumstances the execution would have taken place on the day following the trial; but as the sacred vessel had just been despatched to Delos on its annual mission, and the whole period of the voyage until its return was considered a holy season during which the city was not to be polluted by public executions, the execution of Socrates was postponed till after the return of the vessel (*a*).

Thus Socrates, with chains on his legs, remained in prison thirty days. " During the whole of that period," says Xenophon, " as his acquaintances without exception can testify, his life proceeded as usual. There was nothing to mark a difference between now and formerly in the even tenour of its courage " (*b*). Part of his time there was spent in versifying the fables of

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(*a*) See Plato, *Phaedo*, 58 a–c ; Xen., *Mem.* iv. 8. 3.
(*b*) *Mem., ibid.*

Aesop (*c*), and composing a hymn in honour of Apollo, though he had never before written a line of poetry. Asked why he devoted himself then to that task, he replied :

" . . . I wanted to see whether I could purge away a scruple which I felt about the meaning of certain dreams. In the course of my life I have often had intimations in dreams ' that I should compose music.' The same dream came to me sometimes in one form, and sometimes in another, but always saying the same or nearly the same words : ' Cultivate and make music,' said the dream. And hitherto I had imagined that this was only intended to exhort and encourage me in the study of philosophy, which has been the pursuit of my life, and is the noblest and best of music. The dream was bidding me do what I was already doing, in the same way that the competitor in a race is bidden by the spectators to run when he is already running. But I was not certain of this ; for the dream might have meant music in the popular sense of the word, and being under sentence of death, and the festival giving me a respite, I thought that it would be safer for me to satisfy the scruple, and, in obedience to the dream, to compose a few verses before I departed. And first I made a hymn in honour of the god of the festival, and then considering that a poet, if he is really to be a poet, should not only put together words, but should invent stories, and that I have no invention, I took some fables of Aesop, which I had ready at hand and which I knew—they were the first I came upon—and turned them into verse " (*d*).

(What would not many of us give to read now this hymn and these metrical versions ! What a pity Plato did not take possession of them and immortalise them, as he did some of the spoken words of his master !)

Most of Socrates' time in prison, however, was spent with his intimate friends. They usually assembled at daybreak in the court-house in which the trial took place, and which was not far from the prison. There they waited until the prison-doors were opened, and then went in to Socrates, and passed the greater part of the day with him (*e*). This band of loyal friends, conscious of the irreparable loss they were to suffer, realising that their beloved

(*c*) It is stated in Diog. Laert. ii. 42, that he composed a fable of Aesop beginning thus :

Αἴσωπός ποτ' ἔλεξε Κορίνθιον ἅστυ νέμουσι,
μὴ κρίνειν ἀρετὴν λαοδίκῳ σοφίῃ.
(" Judge not, ye men of Corinth," Aesop cried,
" Of virtue as the jury-courts decide.")

(Trans. by R. D. Hicks, *Diog. Laert.*, 2 vols. (London, 1925), vol. i., p. 173.)

(*d*) *Phaedo*, 60 d–61 b.

(*e*) 59 d.

and revered master was soon to be taken away from them for ever, that they would be deprived of the radiant presence that had been such a profound inspiration to them and of the great, brave, deep, cheering words that had been as their life's sustenance, were distracted with grief and affliction; and recollecting how disinterestedly and self-sacrificingly he had consecrated his life to the service of his fellow-men, their regret and sorrow could not but grow more poignant and heart-rending. Indeed, an observer who did not know Socrates and his equanimity and his fortitude might well have thought that it was not he but these friends of his who were to suffer death, and that he had come there to hearten and cheer them on their last journey.

One morning at daybreak Crito, that "fidus Achates"—a man of kindly disposition and practical common sense, even if he had not a profoundly philosophical mind for all his seventeen dialogues on characteristically Socratic subjects (*f*)—who had always placed his possessions at the service of Socrates and regarded him with the greatest affection, appeared at the prison. He was allowed to enter so early, because he was, through his frequent visits, well known to the keeper, and besides he had also "done him a kindness." The care-worn old man found Socrates peacefully asleep; so he sat there quietly gazing upon the composed countenance of the condemned man, and though he was most eager to make a pressing communication to him, he was unwilling to rob him of his placid slumbers and recall him to the consciousness of his doom. Perhaps he recollected too what Socrates had told the judges about the sweetness of sound sleep. When he awoke, he looked much less concerned about his impending fate than Crito did; whereupon the latter observed: "I have always thought you to be of a happy disposition; but never did I see anything like the easy, tranquil manner in which you bear this calamity" (*g*). To which Socrates replied that it would be absurd if at his age he should repine at the prospect of death; and then he suddenly changed the subject by asking the reason for the early visit. Crito therefore imparted the sad news to him that the sacred vessel had been sighted not far from Athens and that it would probably arrive that day, so that the next day would be his last (*h*). Accordingly Crito urged him again to escape (*i*),

(*f*) Diog. Laert. ii. 5. 121.
(*g*) Plato, *Crito*, 43 b.
(*h*) 43 e.
(*i*) It is stated in Diog. Laert. ii. 60, that it was Aeschines, not Crito, who advised Socrates to escape; but the statement in Plato is more authoritative.

whilst there was still time. Socrates then related a dream he had just had : a woman, fair and comely, clothed in white raiment, appeared to him and said : " O Socrates, the third day hence shalt thou reach fertile Phthia " (*k*) ; and the meaning of this vision, he said, was quite clear to him (*l*).

" Oh, my beloved Socrates," exclaimed Crito, " let me entreat you once more to take my advice and escape. For if you die I shall not only lose a friend who can never be replaced, but there is another evil : people who do not know you and me will believe that I might have saved you if I had been willing to give money, but that I did not care. Now, can there be a worse disgrace than this —that I should be thought to value money more than the life of a friend ? For the many will not be persuaded that I wanted you to escape, and that you refused " (*m*).

Socrates brushing aside the opinion of the many as of no account, Crito asked whether his refusal to escape was due to his fear of implicating his friends and rendering them liable to prosecution ; to which Socrates replied that that was one fear but not the only one.

Crito thereupon reassured him on that score, and said that all his wealth was at his disposal, and that Simmias and Cebes were at hand with their resources, if necessary ; so that his escape could safely be brought about (*n*), and then he could go to Thessaly to his (Crito's) friends, who would esteem and protect him (*o*). He ought to yield to these entreaties, Crito urged, for the sake of his children and his friends (if not for his own), and not play into the hands of his enemies " (*p*).

" Dear Crito," replied Socrates, " your zeal is invaluable, if a right one ; but if wrong, the greater the zeal the greater the danger ; and therefore we ought to consider whether I shall or shall not do as you say. For I am and always have been one of those natures who must be guided by reason, whatever the reason may be which upon reflection appears to me to be the best ; and now that this chance has come upon me, I cannot repudiate my

(*k*) Homer, *Iliad*, ix. 363.
(*l*) *Crito*, 44 b.
(*m*) 44 b–c.
(*n*) Various writers have said that the authorities would have been disposed to connive at his escape (cf. *Cambridge Ancient History*, vol. v., pp. 395–396). But there is no ground for this assertion. Crito's suggestion was that he might be able to bribe the keeper of the gaol—and even then at great risk. There is no suggestion anywhere that the Eleven and all the other numerous Athenian " authorities " concerned would have been willing to allow the condemned prisoner to escape.
(*o*) 45 b–c.
(*p*) 45 c–46 a.

own words : the principles which I have hitherto honoured and revered I still honour, and unless we can at once find other and better principles, I am certain not to agree with you ; no, not even if the power of the multitude could inflict many more imprisonments, confiscations, deaths, frightening us like children with hobgoblin terrors " (*q*).

If a conclusion was right when no fear of death existed, it does not cease to be right because death is imminent (*r*).

Then Socrates applied his customary dialectic reasoning to prove to Crito that the opinion of the many which is urged upon him ought not to be followed, but only that of the one wise man. Though it may be said that " the many can kill us," that makes no difference, for it is not life merely that is of value, but a good life, which means a just and honourable life. The idea of the multitude about money, loss of reputation or even duty to his children must be put aside ; the only question is whether it will be right to escape (*s*). In their previous conversations, Socrates reminds him, Crito was always ready to admit that no man should intentionally do wrong, or return evil for evil (which is the morality of the many), or betray the right ; and these principles he reaffirms now. But to leave the prison against the will of the Athenians is a wrong—it would be a flagrant abandonment of those principles. Crito appears reluctant to accept that application ; whereupon Socrates sets forth a striking imaginary conversation between himself and the Laws (*t*), for the purpose of convincing Crito that his counsel is bad, and that to escape would be to commit a wrong.

The Laws, then, argue—Socrates consenting throughout—to this effect. To escape means to disregard the law, and to set aside the law is a subversion of the State, and it makes no difference even if the State is thought to have pronounced an unjust sentence ; and Socrates impliedly agreed throughout to abide by the law. The law gave him birth, nurture, education, civic status, and social ties. He would not do violence to his father, if he had been struck or reviled by him ; but his country is far more august and sacred than parentage or any ancestry. Besides, on reaching manhood he was at liberty to emigrate with all his possessions if he liked to do so ; but as he remained in the city deliberately, it implied an inviolable compact that he should do what the laws enjoined, unless he convinced them that they required something

(*q*) 46 b–c.
(*r*) 46 d–e.
(*s*) 47–48.
(*t*) 50–54.

inexpedient. This applies all the more forcibly to him, who has been so attached to the city that he has scarcely ever been out of it, and has always acquiesced in its government. Furthermore, at the trial he refrained from proposing exile as a counter-penalty, and proclaimed that he preferred death to banishment. To turn his back now on compacts will be to belie his sentiments and his solemn assurances, and act the part of a wretched slave—especially so as he has had seventy years in which to consider whether he preferred another State to his own. Again, such a transgression on his part will not only do no good to himself, but will also expose his friends who are accessories to his escape to exile, confiscation of property, and loss of citizenship; if he flies to a foreign city, he will there be regarded with suspicion and antipathy as a subverter of the laws, and it will be thought that if he can thus betray the laws of his State, he must no doubt have been guilty also of corrupting the youth. Can he in such circumstances presume to discourse there on virtue and justice?

"Listen, then, Socrates, to us who have brought you up. Think not of life and children first, and of justice afterwards, but of justice first, that you may be justified before the princes of the world below. For neither will you nor any that belong to you be happier or holier or juster in this life, or happier in another, if you do as Crito bids. Now you depart in innocence, a sufferer and not a doer of evil; a victim, not of the laws but of men. But if you go forth, returning evil for evil, and injury for injury, breaking the covenants and agreements which you have made with us, and wronging those whom you ought least of all to wrong, that is to say, yourself, your friends, your country, and us, we shall be angry with you while you live, and our brethren, the laws in the world below, will receive you as an enemy; for they will know that you have done your best to destroy us. Listen, then, to us and not to Crito" (*u*). "This, dear Crito, is the voice," adds Socrates, "which I seem to hear murmuring in my ears, like the sound of the flute in the ears of the mystic; that voice, I say, is humming in my ears, and prevents me from hearing any other. And I know that anything more which you may say will be vain. Yet speak, if you have anything to say." *Crito:* "I have nothing to say, Socrates." *Soc.:* "Leave me then, Crito, to fulfil the will of God, and to follow whither he leads" (*x*).

Thus the same spirit that dominated his life when he was a free

(*u*) 54 b–c.
(*x*) 54 d–e.

man animated him now when he was a condemned prisoner who was about to suffer the supreme penalty. The argument of the Laws is his argument ; and he applied it to himself dispassionately and with even greater insistence and alacrity than he would have applied it to another in similar circumstances. To him the dialectic of words would be a barren thing, nay a hypocrisy and a dishonour, if it were divorced from conduct : the dialectic of words inevitably determined and imperatively demanded the dialectic of action. In his theoretical discussions he had ever strenuously maintained—and his view was always carried out in his actual life—that it was wrong to reply to the false by means of the false or to return evil for evil, notwithstanding the opinion and practice of the multitude. Now in this disastrous predicament, even if he were not guarded, even if he were allowed to remain in prison unfettered, and his escape could be readily effected without danger, inconvenience, or loss of money to himself or to his friends, it would be wrong to do so, inasmuch as it would be contrary to his principles which were arrived at by his dispassionate dialectical examination. But as these principles, in his view, held good always and everywhere, irrespectively of all emergencies, menaces, and dangers, to disregard them would be a violation of reason ; and disloyalty to reason is a greater evil than to suffer an unjust death—for an evil man can never do real harm to a good man. If an injustice is committed through the application of the law, it is not the fault of the law, but it is due to the ignorance of those who make and administer it ; therefore the only remedy that remains is to convince the legislators of their error, and procure an amendment of the law by methods that are not unconstitutional or otherwise improper.

Now it may appear to some students a strange limitation of Socrates' free, irrepressible, and seemingly uncompromising genius thus to submit to what he deemed an act of injustice, instead of arising like a defiant hero and challenging established might and authority. But Socrates' reasoning is unanswerable, if we admit that the dictates of impartial reason and not the promptings of selfish feeling should determine conduct ; at all events Socrates was definitively and indissolubly committed to the invariable observance of reason—and to consent to die for its sake is surely as noble and glorious a martyrdom as to die for one's religious faith. He submitted to the law, even though he did not believe it was the best law ; and he may have thought that whilst it was in operation it possessed also divine sanction—a belief which

among other things prevented his being an out-and-out rationalist (*y*), despite the fact that he followed the behests of reason more persistently than any " rationalist " we have ever heard of. Still, apart from this consideration, had he subjected to the test of his dialectic the whole question of the validity and authority of existing law (as one writer (*z*) thinks he ought to have done in order to be consistent), he would have been putting the cart before the horse, considering his preoccupation with the fundamental principles of knowledge and virtue as a preliminary and indispensable basis for legislation ; and, what is more, had he done so he would certainly have been put to death long before he reached his three score and ten, and so would have been prevented from accomplishing the precious preparatory work which he managed to do under conditions that were difficult enough in any case. Even though he always set great store by reason, he realised that he had to submit to many unreasonable things as a condition to his being permitted to champion its claims in other matters ; after all one intellectual Herculean labour at a time is quite sufficient for a mortal man, especially when he stands alone as an " enemy of the people " against the body politic. To say, then, that it was a limitation of Socrates' genius to have abstained from acting the rationalist in some things is a nugatory deprecation ; for to live in this world at all necessarily implies the acceptance of many unreasonable things, and the wise man who would be a reformer and would seek to substitute reason for unreason in the affairs of men must choose and confine himself to that field of activity in which he can labour with comparative security and effectiveness. Furthermore, such criticism appears to be entirely oblivious of Socrates' enforced abstention from public life, and of his explanation that he was debarred from participating in political and legislative functions—that is to say, that he was prevented from applying himself to the only available way of making or altering the law—by his warning voice, which was real to him whatever we may think of it.

It has already been pointed out (*a*) that the action of the *Crito* resembles in various respects the procedure of a trial, Crito representing the prosecutor, the State the accused, and Socrates the judge ; the charge is wrongdoing, and the verdict is not

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(*y*) Cf. C. Nohle, *Die Statslehre Platos in ihrer geschichtlichen Entwicklung* (Jena, 1880), pp. 10–13 ; J. Adam, *Platonis Crito* (Cambridge, 1888), pp. xiv.–xv.
(*z*) Adam, *ibid.*
(*a*) *Supra*, p. 22.

guilty (*b*). The State, by its agent the Laws, embarks on a dialectical cross-examination in its defence, and proves to the satisfaction of the judge that the accusation of the prosecutor is entirely baseless. Moreover, this quasi-judicial investigation involves, as it were, an appeal from the decision of the court of dicasts that had condemned Socrates ; and the judgment is that whilst the State *qua* State, as differentiated from those individuals who purported to act in its name in the prosecution and condemnation of Socrates, is acquitted, neither those individuals who misconstrued the law nor the people generally who sanctioned such misconstruction are exonerated (*c*).

Thus Socrates refused to leave the prison without being authorised to do so, and Crito's entreaties were in vain. The prisoner's last day arrived, and his closest friends—now united by their common reverence and affection, however they might differ in their philosophical discussions—assembled earlier than usual at the customary place in the adjoining court-house (*d*). There was first and foremost the indefatigable Crito, the oldest of Socrates' friends, of about the same age and his fellow-demesman, who did not engage in philosophical discussions with Socrates, and perhaps had little aptitude for dialectic ; but he had aptitude for unwavering affection and loyalty, and for self-sacrifice too, for his friend. There were also Crito's son, the beautiful Critobulus ; Apollodorus, somewhat melancholy, timid, and highly sensitive ; Hermogenes, gentle and pious, who afterwards gave Xenophon much information about the trial of Socrates (*e*) ; Epigenes, son of Antiphon, of the deme of Cephisia (*f*) ; Aeschines, rhetorician as well as philosopher, author of dialogues marked by Socratic irony ; Antisthenes, the subsequent founder of the cynic school of philosophy ; Ctesippus, of the deme of Paeania (*g*) ; Menexenus, son of Demophon (*h*). There were some besides who came from other cities : the brothers Simmias and Cebes of Thebes, who had been disciples of the Pythagorean philosopher Philolaus, who now brought money for the purpose of aiding Socrates' escape and who afterwards became distinguished authors and masters of dialectic ; Phaedonides of Thebes ; the young, noble, and beautiful Phaedo

(*b*) Cf. Adam, *op. cit.*, p. vii.
(*c*) *Ibid.*, pp. ix.–xi.
(*d*) *Mem.* iv. 8. 4.
(*e*) *Phaedo*, 59 b.
(*f*) Cf. Plato, *Apol.* 33 ; Xen., *Mem.* iii. 12.
(*g*) Cf. Plato, *Lysis ; Euthyd.* 273 a.
(*h*) He is one of the interlocutors in Plato's *Lysis* and also in the *Menexenus*.

of Elis, the " beloved disciple," who afterwards founded a school of philosophy at Elis, and declared he would always love to hear and speak of Socrates (*i*) ; Euclides of Megara (*k*), the subtle dialectician who, with other companions of Socrates, later founded a school of dialectics in his city ; Terpsion of Megara (*l*). But Plato, who became the most illustrious of the master's disciples, was absent on that day on account of illness (*m*).

These friends then proceeded together to the prison, but the jailer who answered the door came out, and, sympathetically disposed both to the prisoner and to his visitors, asked them to wait until he called them, as the Eleven were there with Socrates causing his chains to be removed, and giving the necessary directions for the execution. He returned soon afterwards and admitted them all into the prison. There they found Socrates just released from his fetters, and Xanthippe sitting near him with their child in her arms (*n*). As soon as she saw them she uttered a cry and said : " Oh, Socrates, this is the last time that your friends will speak to you or you to them " (*o*) ; and as she kept on wailing and lamenting Socrates asked Crito to get some one to take her home. Accordingly one of Crito's attendants led her away crying aloud and beating her breast. Then Socrates sat up on his couch, began to bend and rub his leg, which had been released from the chains, and spoke of the relativity of pleasure and pain—for a feeling of pleasure followed the cessation of pain which had been caused by the fetters (*p*). Socrates next informed them that he had lately spent much of his time in prison in making a metrical version of Aesop's fables, and composing a hymn to Apollo (*q*).

The conversation subsequently turns on the question of suicide ; and to the inquiries of Simmias and Cebes, who speak in their native Doric, Socrates replied that suicide is unlawful, though a philosopher ought always to be prepared and willing to die. According to some people (for example, those initiated into the Orphic mysteries), man exists in a kind of prison and is not allowed to open the door and run away. That doctrine is difficult

(*i*) *Phaedo*, 58 e.
(*k*) Cf. Plato, *Theaet.*
(*l*) Introduced as an interlocutor in Plato's *Theaetetus.*
(*m*) *Phaedo*, 59 b.
(*n*) It has been frequently said that Xanthippe and the child had passed the night with Socrates. But there is no evidence of this, and my impression is that it is very doubtful.
(*o*) 60 a.
(*p*) 60 b–c.
(*q*) 60 d–61 b.

to understand, so that another and more intelligible reason may be given, namely, that the gods are men's guardians, hence men are not their own property, and consequently are not entitled to dispose of what does not belong to them. Cebes thereupon asks why, if such be the case, a philosopher should desire to die, and so lose the protection of the gods. Simmias concurs in this question, and suggests that his brother is referring to Socrates himself, who appears to be too ready to leave his friends as well as the gods. Socrates therefore says that he must try to make a more convincing defence than he did before the judges, and then argues that he is going to other good and wise gods, and perhaps also to better men than those of this world (*r*).

The conversation is now becoming exciting, and the extraordinary circle of philosophers listening to a profound discourse in unparalleled circumstances give their rapt attention to the alluring voice and manner of Socrates, and forget for the time being that they are very soon to witness his death. They are intensely anxious to know whether he believes this departure of his to be an eternal separation from them or only a temporary parting. Simmias begs him to communicate his ideas to them so that they may share them, when Crito intervenes and informs Socrates that the man who is to administer the hemlock has warned him to talk as little as possible, because if he gets heated the poison will not properly act, and he may therefore have to drink it twice or even three times. Socrates asks Crito to tell the man to attend to his own affairs and administer the poison twice or if need be three times (*s*)—so absorbed is he in the conversational process of inquiry he always loved so well that he is unmindful of his impending doom.

Socrates now goes on to explain why he thinks that a man who has spent his life in the service of philosophy has reason to be of good cheer when his death approaches, and to be hopeful that after his death he will attain the greatest good ; for philosophy is a " contemplation of death " (*t*). At this Simmias laughed and said :

" Though not in a laughing humour, you have made me laugh, Socrates ; for I cannot help thinking that the many when they hear your words will say how truly you have described philo-

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(*r*) 61 c–63 d.
(*s*) 63 d–e.
(*t*) In the sense of a rehearsal of dying (Taylor, *Plato* (1926), p. 179 ; Burnet, *Plato's Phaedo*, p. 28).

sophers, and our people at home will likewise say that the life which philosophers desire is in reality death, and that they have found them out to be deserving of the death which they desire." "And they are right, Simmias, in thinking so," replied Socrates, "with the exception of the words 'they have found them out'; for they have not found out either what is the nature of that death which the true philosopher desires, or how he deserves or desires death" (*u*).

Death, observes Socrates, is the separation of the soul from the body. But the philosopher spurns material pleasures and the dominion of the senses with all the evils, impurities, and necessities bound up with them which, preventing clearness of vision, are a hindrance to him in his search for absolute truth, goodness, wisdom, and beauty; and he therefore desires such a separation (*x*).

"Then," added Socrates, "if this is true, my friend, I have good hope that, when I reach the place to which I am going, I shall there, if anywhere, attain fully to that which we have sought so earnestly in the past, so that I shall set off with good cheer on the journey that is appointed to me to-day; and not only I, but every man who thinks that his mind has been purified and made ready" (*y*).

Purification implies the emancipation of the soul from the chains of the body, and this emancipation is brought about by death; and true philosophers ever seek to release the soul from its bonds. Hence it is ridiculous to repine at the approach of death—indeed, it is an occasion for rejoicing at the prospect of reaching that place where they hope to gain what they loved most in life, namely, wisdom. Those who fear death do not love wisdom, but only their bodies or worldly things (*z*). Besides, the philosopher's ideas of good and evil are unlike those of other men. They are brave from a fear of greater dangers, and temperate because intemperance prevents them from enjoying greater pleasures. But he disdains this process of balancing pleasures and pains and fears, which is a false and slavish procedure, like the barter of coins, not the commerce of true wisdom with its companion virtue; and he regards true virtue as a purgation of the soul. Those who have purified their souls will dwell

(*u*) 64 b.
(*x*) 64 c–67 b.
(*y*) 67 b–c.
(*z*) 67 c–68 b.

with the gods after death ; and Socrates hopeful that he will be with the gods is now prepared to depart (*a*).

Here Cebes expresses the fear—the common fear—that when a man dies his soul may vanish like smoke ; and he says that much persuasion and many arguments are needed to prove that the soul survives. Thereupon Socrates begins his dialectical discourse on that greatest and profoundest of human questions—the immortality of the soul (*b*). It has already been pointed out, however, that it is almost universally held that the essence of this argument is Platonic (*c*) rather than Socratic ; so that it would perhaps be irrelevant to set it forth here. Socrates may have accepted the doctrine of the immortality of the soul, and his teleological conception of life and the universe as well as his attitude towards death may have impelled him to accept it. But it is not quite clear that he did (*d*). In the *Apology*, every part of which is undoubtedly Socratic, he touched upon the question of survival after death, but he did not make any definite declaration either for it or against it. If he believed in immortality then, he would probably have said so, especially in his address to the acquitting judges ; that he did not say so would be inexplicable otherwise (*e*). Indeed, he expressly avowed his uncertainty, and refused to dogmatise. On this great question as on lesser questions, he contrasted his ignorance with the conceit of knowledge prevailing among his fellow-citizens ; had he then been possessed of the convictions dramatically attributed to him in the *Phaedo*, he would not have refrained from uttering them, instead of considering alternatives, when the solemnity of the occasion, the seeming victory of his enemies, and the frustrated hopes of his friends all called for such a pronouncement. And even in the *Phaedo* we find, amidst the swarming Platonic ideas, hints and suggestions here and there which indicate that Socrates was really endeavouring on his account to arrive at a clear conception of the soul's immortality, rather than expounding doctrines to his companions with a settled assurance in their truth. For when Simmias and Cebes expressed dissatisfaction with the argument advanced, though they were reluctant to set forth their objections or doubts lest

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(*a*) 68 b–69.
(*b*) 70 *seq.*
(*c*) Cf. the allegory of the soul recovering her wings in *Phaedrus*, 249.
(*d*) See *supra*, p. 123.
(*e*) For reasons that have been suggested why he may not have wished then to declare his faith in immortality (if he had it), see *supra*, p. 127.

they disturbed Socrates at that supreme moment (*f*), he observed :

" At this moment (*g*) I am sensible that I have not the temper of a philosopher ; like the vulgar, I am only a partisan. Now the partisan, when he is engaged in a dispute, cares nothing about the rights of the question, but is anxious only to convince his hearers of his own assertions. And the difference between him and me at the present moment is only this—that whereas he seeks to convince his hearers that what he says is true, I am rather seeking to convince myself ; to convince my hearers is a secondary matter with me. And do but see how much I gain by the argument. For if what I say is true, then I do well to be persuaded of the truth ; but if there be nothing after death, still, during the short time that remains, I shall not distress my friends with lamentations, and my ignorance will not last, but will die with me, and therefore no harm will be done. This is the state of mind, Simmias and Cebes, in which I approach the argument. And I would ask you to be thinking of the truth and not of Socrates : agree with me, if I seem to you to be speaking the truth ; or if not, withstand me might and main, that I may not deceive you as well as myself in my enthusiasm, and like the bee leave my sting in you before I die " (*h*).

(This passage is characteristically Socratic in tone and spirit ; and it may be that such words as these, especially the remark that he is seeking to convince himself, lend colour to the view that whilst he was uncertain about immortality when he delivered his speech before the dicasts, afterwards by dint of reflecting on the significance of death during his thirty days' imprisonment pending his execution he came to receive " intimations of immortality," and that on the last day of his earthly existence he was anxious to confirm his newly acquired belief by means of an elaborate dialectical inquiry, or to see whether it could withstand the objections urged by such keen reasoners as the Theban brothers. This is a conjecture that is put forward here tentatively ; and I do not know whether a similar suggestion has been made before. However, such a view would definitely explain Socrates' attitude of doubt during the trial, and his changed attitude just before his death.)

Socrates afterwards declared that his mind was at ease, and

(*f*) 84 d.
(*g*) Of course he is referring to the particular portion of the argument; but his words indicate uncertainty, and bear out what is suggested above.
(*h*) 91 a–c.

he urged his companions to maintain unabated the dialectical investigation, in order to attain that reasoned truth which alone commands acceptance (*i*). At times he appears to be mainly concerned about calming their fears as to his destiny, rather than convincing himself; for as his reasoning does not seem to content them, he tries to impress upon them that, as the consecrated servant of Apollo, he has received divine gifts of prophecy, and, like the swan, would go out of life with a song of gladness (*k*).

Whatever doubt there may be about his belief in immortality, there is no doubt, however, about the historical accuracy of Plato's moral portraiture of Socrates in his last days—his sublime courage, his imperturbable equanimity in confronting death; and his victory over it is all the more wonderful in that he had only reason as his support, and the consciousness of innocence as his consolation; he had nothing like the Christian martyr's confidence in the near presence of a vigilant, gentle, and loving saviour calling him to eternal bliss. For Socrates the calm contemplation of death, as a function of the philosophic life, was conditioned by the assertion of an untrammelled intellectual freedom; and for him death, which was an emancipation of the soul from the troubled tabernacle of the body, was entirely free from all grotesque, morbid, and macabre associations. He encountered it not with the Christian martyr's mystic fervour, longing expectancy, and rapturous exaltation, but with all the serenity and self-mastery consequent on long reflexion, with a self-surrender, not to the beckonings of ineffable love, but dictated by cool dialectical ratiocination, and with the recognition that it is an inevitable stage that must be traversed sooner or later; and so he was quietly reconciled to it, whatever it might bring with it, and however he might fare. His mind tried to fathom the nature of the beyond, but it did not perceive clearly, and so he would not deceive himself: he would not regard vagrant hopes and surmises and imaginings as achieved knowledge, and therefore he would remain true to his principles, by maintaining his customary reserve and modesty in his affirmations, and refusing to take the wish for the thought. Whilst he was thus tranquil and without fear, he did not mock or defy death or indulge in insincere attitudinising.

In this last talk of his, as in his previous conversations with his friends after his condemnation, there is not a single word of

(*i*) 85 b.
(*k*) *Ibid.*

rancour or bitterness uttered against his enemies, his accusers, and condemning judges. He felt that they misunderstood him and misinterpreted his mission, that the harm they intended to do him was the outcome of their ignorance rather than their deliberate malice; so that he could not but be indulgent towards them, and hopeful that with the acquisition of truer knowledge their eyes would be opened, and then they would realise what they had done.

And now the great argument had to end, for the last hour was near. The scene painted by Plato is one of dramatic vividness and immortal beauty, contrasting the unclouded countenance, the stupendous composure—indeed playful geniality—and the undimmed intelligence of the great tragic protagonist with the pained faces, the paralysing emotions, and the confused thoughts of those who were gathered round him. And in reproducing this unique scene here, it were futile to attempt to depart too much from the incomparable style of Plato's narrative, which was based on the report of an eyewitness who had obviously remembered every detail in the impressive sequence of events.

Socrates recalled his companions from the ethereal regions to which he had for a while conducted them, and from the glorious vision of immortality he had conjured up for them, to a sense of urgent reality by reminding them that the voice of fate was calling, and that in a few moments he must drink the poison. In the meantime, he said, he would repair to the bath, in order to save the women the trouble of washing his body afterwards (*l*). Crito then asked him whether he desired to leave with his friends any directions concerning his children or about anything else, and in what way they might best serve him. To which Socrates answered that he had nothing new to impart to them, but only what he had always said to them: to have regard to themselves and live in conformity with the principles arrived at in their past discussions; by doing so they would be doing a service to him and his as well as to themselves, but failing this all their promises, however profuse or eager they might be, would prove of no avail. Crito replied that they would endeavour to do as he said, and asked in what way they should bury him. Thereupon Socrates assumed a jocular vein, saying: "In any way you please; only you must catch me first, and not let me escape you" (*m*). Turning to the company with a smile he good-

(*l*) *Phaedo*, 115 a.
(*m*) 115 c.

humouredly reproved Crito for having forgotten the conclusion reached in the recent argument, namely, that after drinking the poison he would no longer be with them, because his soul would fly away to the joys of the blessed, so that they could not bury him, but only his body. "Be of good cheer, then, my dear Crito," he added, "and say that you are burying my body only, and do with that as you think best and as seems to you most fitting" (*n*).

After saying these words he arose and went into another room to bathe. Crito followed him, and asked the others to wait. Whilst they waited they talked over with each other the striking discourse they had listened to, and tried to hearten each other by respeating some of the inspiring principles that had been enunciated in it. But sorrow took possession of their souls, and they could not refrain from dwelling on the greatness of the calamity that had befallen them; they felt that he was like a father to them, and that bereft of him they would live as orphans for the rest of their lives.

As soon as Socrates returned from his bath, his children were brought to him for their last embrace—the youth Lamprocles, the small boy Sophroniscus, and the infant Menexenus; then his wife Xanthippe and women relatives of the family came to him, and he talked with them in the presence of Crito, and gave them his last instructions. After dismissing them he went to his companions and sat down with them for some time speaking but little. The fateful hour of sunset was fast approaching, and soon the jailer, who was the servant of the Eleven, came into the room, went to Socrates and said to him:

"To you, Socrates, whom I know to be the noblest and gentlest and best of all who ever came to this place, I will not impute the angry feelings of other men, who rage and swear at me, when, in obedience to the authorities, I bid them drink the poison—indeed, I am sure that you will not be angry with me; for others, as you are aware, and not I, am to blame. And so fare you well, and try to bear lightly what must needs be;—you know my errand. Then bursting into tears he turned away and went out" (*o*).

And Socrates looked up at the executioner who that day performed his function with a heavy heart, and whose regard and affection for Socrates could not but touch him; so with gentle

(*n*) 115 e–116 a.
(*o*) 116 c.

courtesy he returned his good wishes and promised to do what he was bid. Then turning to his friends he observed :

" How charming the man is : since I have been in prison he has always been coming to see me, and at times he would talk to me, and was as good to me as could be, and now see how generously he sorrows on my account. But we must do as he says, Crito ; and therefore let the cup be brought, if the poison is prepared ; if not, let the attendant prepare some " (*p*).

Hearing this request Crito beseeched Socrates not to be in such a great hurry to leave them ; for the sun, he said, was still upon the hills and had not yet set ; and he added that he had heard of others who had taken the draught very late, after the order had been given to them, and in the meantime had eaten and drunk and enjoyed the company of their loved ones.

" Yes, Crito," replied Socrates, " and they of whom you speak are right in so acting, for they think that they will be gainers by the delay ; but I am right in not following their example, for I do not think that I should gain anything by drinking the poison a little later ; I should only be ridiculous in my own eyes, for sparing and saving a life which is already forfeit. Please then to do as I say, and not to refuse me " (*q*).

Thereupon Crito made a sign to his attendant who was standing by ; and he went out, and after some delay returned with the man who was to administer the poison, carrying it prepared in a cup. As soon as Socrates saw him, he said to him :

" ' You, my good friend, who are experienced in these matters, shall give me directions how I am to proceed.' The man answered : ' You have only to walk about until your legs are heavy, and then to lie down, and the poison will act.' At the same time he handed the cup to Socrates, who in the easiest and gentlest manner, without the least fear or change of colour or feature, looking at the man with all his eyes . . . as his manner was, took the cup and said : ' What do you say about making a libation out of this cup to any god ? May I, or not ? ' The man answered : ' We only prepare, Socrates, just so much as we deem enough.' ' I understand,' he said, ' but I may and must ask the gods to prosper my journey from this to the other world—even so—and so be it according to my prayer.' Then raising the cup to his lips, quite readily and cheerfully he drank off the poison " (*r*).

(*p*) 116 d.
(*q*) 116 e–117 a.
(*r*) 117 a–c.

Till then most of the company, spellbound by his equanimity and seeming unconcern, and overawed by his mysterious majesty, had managed to control themselves, but when they saw him drain the fatal cup, they burst out weeping; and Phaedo, with whose locks Socrates had not long ago played, and who, despite his youth, had been one of the calmest of those present, now shed many tears in spite of himself, and wrapped his face in his cloak, weeping bitterly, as he said, not for his master but for his own misfortune in being deprived of such a friend. Then the old man Crito was overcome too, and in tears got up and moved away, followed by Phaedo; at the same time the sensitive Apollodorus, who had been weeping all the time, wailed aloud in his grief, which made them all break down:—all except Socrates himself, who had throughout remained quite tranquil—"placidus ore, intrepidus verbis, intempestivas suorum lacrimas coercens" (*s*). "What conduct is this," he reproachfully exclaimed, "you strange men! I sent the women away chiefly for this very reason, that they might not offend in this way; for I have heard that a man should die in silence. So calm yourselves and bear up" (*t*).

When they heard his reproof they were ashamed and restrained their tears. But he walked about until, as he said, his legs began to fail, and then he lay down on his back according to the directions that had been given him. The man who gave him the potion now and then examined his feet and legs, then pinched his feet hard, and asked him if he could feel it. Socrates answered that he did not feel it; then the man pressed his leg, and so higher and higher, and soon showed the bystanders that he was cold and stiff. And Socrates himself felt his legs, and said that when the poison reached his heart that would be the end. He was already growing cold about the groin, when he uncovered his face, which had been covered, and said—these being his last words: "Crito, I owe a cock to Aesculapius; do not forget to pay it for me" (*u*). Crito replied that the debt would be paid, and also inquired if there was anything else he wished. To this question he made no answer; but after a little while there was a movement, and the man uncovered him—his eyes were fixed, and as soon as Crito saw it he closed his eyes and his mouth (*x*).

This account of the last hours of Socrates may well be con-

(*s*) These words are very aptly quoted by Grote, *Plato and the Other Companions of Socrates*, vol. ii., p. 154. They are used by Tacitus, *Hist.* ii. 48, in his depiction of the approaching end of the Emperor Otho.
(*t*) 117 d–e.
(*u*) 118.
(*x*) *Ibid.*

cluded with the words used by Phaedo at the beginning of his narrative, represented as having been told to Echecrates of Phlius and other Phliasians :

" I had a singular feeling at being in his company. For I could hardly believe that I was present at the death of a friend, and therefore I did not pity him, Echecrates ; he died so fearlessly, and his words and bearing were so noble and gracious, that to me he appeared blessed. I thought that in going to the other world he could not be without a divine call, and that he would be happy, if any man ever was, when he arrived there ; and therefore I did not pity him as might have seemed natural at such an hour. But I had not the pleasure which I usually feel in philosophical discourse (for philosophy was the theme of which we spoke). I was pleased, but in the pleasure there was also a strange admixture of pain ; for I reflected that he was soon to die, and this double feeling was shared by us all ; we were laughing and weeping by turns, especially the excitable Apollodorus . . . he was quite beside himself ; and I and all of us were greatly moved " (*y*).

And at the very close of the narrative, Phaedo said : " Such was the end, Echecrates, of our friend ; concerning whom I may truly say, that of all the men of his time whom I have known he was the wisest and justest and best " (*z*).

The very last words uttered by Socrates were a direction to Crito to make a divine offering on his behalf. Contrary to the views of many commentators we believe that the remark was made quite seriously in intention, though in a buoyant genial tone in conformity with his wonted manner. There was little of his " customary irony " in it ; but it may well have implied something of that profound irony which accompanies the sense of an intimate world vanishing before one's fading vision, a world in which one had so wholeheartedly laboured for others and had been hated and condemned to death by them for it. To us as onlookers a further element of irony appears in the situation of a man who was condemned to death for irreligion, and who dying made a libation to his country's gods and offered a prayer and a sacrifice to a national deity.

We ought to add, however, that there is no consensus of opinion respecting the precise significance of the requested sacrifice of a cock to Aesculapius, the god of the science and art of medicine.

(*y*) 58 e–59 a.
(*z*) 118.

As the cock was frequently regarded as an emblem of victory, some writers have thought that the gesture of Socrates implied a claim on his part that he though dying had really achieved a victory over his accusers, condemning judges, and enemies generally. Others have believed that, owing to its symbolising day and its connection with Apollo, the god of light and harmony, Socrates meant that he was emerging from darkness and discord into authentic light and into the " music of the spheres." Aesculapius, however, being the god of healing to whom votive offerings were made by persons recovering from sickness, it has therefore been held that the act of Socrates was simply a sacrifice to that deity, not of course for restoring him to bodily health, but for curing him of all the ailments of earthly existence,—the ailing Socrates purporting to drink the poison as though it were a medicine. As Timon of Athens says, speaking of his " epitaph " :

> . . . my long sickness
> Of health and living now begins to mend ! (*a*)

That is to say, Socrates hoped (as a recent commentator observes (*b*)) to awake cured like those who were healed by sleeping in the temple of Aesculapius at Epidaurus and observing certain prescribed rules. Perhaps the last explanation is the most appropriate (*c*).

These Socratic dialogues of Plato, which depict the life and death of Socrates, bring out his extraordinary consistency in death as in life : the last days revealed a triumphant application of the principles that he had before taught and observed throughout in his own life—to be just and to fear nothing, to be guided by the light of reason instead of by the seductive impressions of the senses. His death signalised a veritable triumph of spirit over matter, of inner conscience over all external temptations, of reasoned dispassionate thought over unreasoning self-regarding sentiment, of the fortitude that is engendered by reason over the courage that so often results from pride or from a regard for others' approbation, of the philosophic serenity that is due to the dictates of reason over that tranquillity that is produced either by mental lassitude or by religious promptings. To the last he remained devoted to his mission, which entailed co-operative investigation by the dialectic process of debate : but whilst in the course of his life he had been to a large extent a destructive critic, a purger of

(*a*) *Timon of Athens*, v. 1. 184-185.
(*b*) Burnet, *Plato's Phaedo* (Oxford, 1911), p. 147.
(*c*) Cf. W. D. Geddes, *The Phaedo of Plato* (London, 1885), p. 296.

pretence and false illusion of knowledge, in his last days he put aside his refutative elenchus, and substituting a dialectic of synthesis he evoked a majestic vision from which all earthly solicitude, fear, and despair were banished. To the very last moment he preserved his usual consideration for others, his fine courtesy and genial urbanity. And that elf of humour which had been to him such an inseparable and delightful companion throughout his life's journey remained with him too: "it was no longer the intense and sometimes scorching blaze that was wont to spread crackling fire among Sophistic thorns, it was now a mild lambent flame, at once enlightening and enlivening" (*d*); and it cast a healing glow over the "lacrymae rerum" of that final scene, for it expressed the spirit of one who had in him "a principle which does not admit of death."

(*d*) Geddes, *op. cit.*, p. xiii. (The tense of the original passage has here been altered.)

CHAPTER XX

WHETHER THE CONDEMNATION WAS JUST

Ἡ γὰρ δίκη πολιτικῆς κοινωνίας τάξις ἐστιν.

(Aristotle.)

(It is in justice that the ordering of Society is centred.)

Ἐσχάτη γὰρ ἀδικία δοκεῖν δίκαιον εἶναι μὴ ὄντα.

(*Rep.* ii. 361a.)

(It is the height of injustice to be deemed just when you are not.)

THE consideration in the preceding chapters of the various charges brought against Socrates and of the nature and substance of his defence has already shown, it is hoped, whether or not his condemnation was right and just. But owing to the assertions of a considerable number of writers both here and on the Continent that the death sentence was justified—some even holding that it was justified morally and legally as well as on the ground of expediency—it is necessary to look at the question a little more closely, and deal with it here by way of supplementing what has been said in preceding chapters.

We have seen that the death of Socrates was a veritable triumph for philosophy and the Socratic spirit; but it was also a "triumph" for the politicians, for the votaries of tradition, for the opponents of innovation, and for the obscurantist sections of the population generally. Though the noble way in which Socrates had lived his philosophy and the sublime manner in which he died in it inspired many to devote themselves to philosophy and to cultivate his dialectic method, he was nevertheless sorely missed by his friends and followers. As Xenophon says: "... Amongst those who knew Socrates and recognised what manner of man he was, all who make virtue and perfection their pursuit still to this day cease not to lament his loss with bitterest regret, as for one who helped them in the pursuit of virtue as none else could"(*a*). No wonder! for the Socratic philosophy, as we have seen, was not at all an elaborately organised system of doctrines, but was in the main an expression of the Socratic spirit, aspiration, and personality.

It has been suggested, in accordance with ancient reports, that

(*a*) Xen., *Mem.* iv. 8. 11.

soon after the execution of Socrates the Athenians expressed their compunction for the wrongful deed they had committed. There is, for example, a story connected with Isocrates, which is due to one of his editors, that the citizens manifested their shame by prohibiting any public mention of Socrates, and that when Euripides referred to him in his play, the *Palamedes*, the audience burst into tears. Now as Euripides died some years before Socrates, this incident could not have taken place in the dramatist's lifetime or for at least some seven or eight years after his death ; so that if it took place at all, it must have been on the occasion of a later performance of the play (*b*). Whether the audience then did burst into tears we have no means of knowing for certain, in the absence of reliable evidence ; that some members of the audience, however, remembering their lamented friend's departure and the mode of his death, may have thus expressed their grief is quite intelligible and by no means improbable ; and it may be therefore that the effect on the audience was exaggerated by eye-witnesses who cherished the memory of Socrates, and who thus gave rise to the story and circulated it.

In subsequent ages, too, various stories were told of the remorse and repentance of the Athenians. Thus it is related by Diodorus (*c*) that the accusers, being the primary instruments of the catastrophe of 399 B.C., were attacked by the infuriated people and were put to death even without any judicial investigation (that is to say, they were " lynched "). According to another tradition, preserved by Plutarch (*d*), the citizens of Athens so detested the accusers of Socrates because of their defamatory imputations, that they refused to light their fires or answer their questions, or bathe in the same water with them, until the victims of this social ostracism were driven in despair to hang themselves. Again, Diogenes Laertius (*e*), writing at the end of the second century A.D., tells us that not long after Socrates' death the Athenians, as a token of their regret and grief, closed all the palaestrae and gymnasia, condemned Meletus to death, banished Anytus and Lycon, and erected to the memory of Socrates a bronze statue, the work of Lysippus ; and that as soon as Anytus entered Heraclaea the inhabitants expelled him. In still later times we find similar things mentioned in the works

(*b*) Cf. Zeller, *op. cit.*, p. 169, note.

(*c*) Diodor. xiv. 37. 6 : Διόπερ τοὺς κατηγορήσαντας δι' ὀργῆς εἶχε, καὶ τέλος ἀκρίτους ἀπέκτεινε.

(*d*) Plut., *De Invid.* c. 6.

(*e*) Diog. Laert. ii. 43 ; Diod. xiv. 37.

of the Paphlagonian rhetorician and philosopher, Themistius (*f*) (317–387 A.D.) and St. Augustine (*g*) (345–430 A.D.): the former says that the Athenians, having repented of their unjust act, punished Meletus, that Anytus escaped and was stoned to death at Heraclaea, where his grave was then still to be seen; the latter simply relates that one of the accusers was put to death by the people and the others were exiled for life. Suidas, writing some centuries after, repeats the story that Meletus was stoned to death (*h*).

Now this revulsion of feeling, if it did occur at all to the extent described by these later writers, could not have happened immediately or very soon after the death of Socrates. In the first place, we find that Plato at once left Athens, and was absent from the city for several years; for he was mortified by the execution of his master—there is no doubt that, if we may judge from the tenor of his writings, he considered it entirely unjust—and he turned in repugnance from the attitude of the majority of his fellow-citizens.

He had intended to enter public life, but what with the proceedings of the Thirty and the conduct of the restored democracy—especially its condemnation of his just and righteous master—he abandoned the thought of a political career and devoted himself entirely to philosophy. More than forty years later he addressed the following letter to "the friends and associates" of Dion of Syracuse after his assassination by Callippus:

"Socrates, an elderly friend of mine, who, I should not be ashamed to say, was the justest man among the men of the time, was sent with others by the Thirty to arrest one of the citizens (*i*), to be executed, in order that he (Socrates) might himself share in their actions whether he wished it or not; he refused and ran the extreme risk, rather than become a participant in their wicked deeds. Seeing all these things, and other similar things which were not trifling, I was disgusted and withdrew and stood aloof from the crimes of that Government. Not long afterwards the Thirty fell and the existing constitution was changed. I felt myself again drawn though slowly towards public life. The new Government had merits, though it had also defects, but it so happened that this companion of ours, Socrates, was brought into court by certain men who were in power. They preferred

(*f*) Orat. xx. 239 (ed. W. Dindorf).
(*g*) *De Civ. Dei.* viii. 3.
(*h*) Suidas, *s.v.* Μέλιτος (but his account is confused).
(*i*) *I.e.*, Leon of Salamis; see *supra*, p. 66.

against him a most wicked charge and one which was least applicable to Socrates of all men in the world. They accused him of impiety, and he was condemned and put to death, the man who had refused to take part in the wicked arrest of one of their friends who was trying to flee at the time when they were themselves unfortunate " (*k*).

The fact, however, that many of Plato's dialogues are apologetic in tone and seek to vindicate Socrates does not necessarily prove (as some modern writers have asserted) that at the time he wrote them the greater part of the Athenian population still thought of Socrates with hatred. All that we are justified in concluding is that his memory was still unpopular in some quarters, and that it was assailed afresh by certain opponents (for example, the Sophist Polycrates, to whom reference has already been made (*l*), who took part in the Socratic controversy, which began soon after the execution and continued, more or less intermittently, for a considerable length of time. And the same consideration applies to the more elaborate expository and vindicatory contribution of Xenophon. Secondly, neither Plato nor Xenophon, who wrote some years after the events of 399 B.C., mentions anything about the people revenging themselves on Socrates' accusers or enemies ; they make, of course, disparaging and bitter remarks about the latter, but they make them as expressions of their own private feeling. Had Meletus and his colleagues been proceeded against in any way, either formally or informally, these zealous and reverend apologists of Socrates—not to say fluent and capable controversialists—would certainly not have refrained from alluding thereto in support of their own views.

Further, a little more than half a century after the death of Socrates a speech of Aeschines was delivered (345 B.C.), in the course of which the orator apparently expected to impress his hearers and gain their sympathy by such words as these :

" Did you put to death Socrates the Sophist, fellow-citizens, because he was shown to have been the teacher of Critias, one of the Thirty who put down the democracy, and after that, shall Demosthenes succeed in snatching companions of his own out of your hands, Demosthenes, who takes such vengeance on

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(*k*) Plato, *Ep.* vii. 324 e–325 c ; cited in *Cambridge Ancient History*, vol. v., p. 397. The authority of *Ep.* vii. (the only work in which Plato speaks in his own person of Socrates) is discussed by C. Ritter, *Neue Untersuchungen über Platon* (München, 1910), chap. vii.

(*l*) See *supra*, p. 270.

private citizens and friends of the people for their freedom of speech ? " (*m*).

Had the accusers or any of them already been punished, or had the people even shown antagonism to them, the orator would obviously have exposed himself to a retort that would have been injurious to his pleading ; so that we may safely infer that he would not have made such an observation in the circumstances. If we are to assume therefore that such words commended themselves to the majority of the auditors, or at least were not received with disapprobation by them, the inference is that the memory of Socrates must have been still unpopular with a greater or lesser part of the Athenian population half a century after his execution, or at all events that they were not troubled by pangs of conscience about his death. We may be pretty sure, too, that some of the bitter opponents of Socrates who participated in the contemporary controversy contributed much to the maintenance of this hostile feeling. Indeed, the question of the legitimacy of Socrates' condemnation continued to be debated right down to the late Roman age, as we find from the rhetorical production of Libanius, entitled the *Apology* (produced in the latter half of the fourth century A.D.).

We must therefore conclude, in regard to the stories of the punishment of Socrates' prosecutors, that from the above considerations it appears very doubtful indeed whether the alleged proceedings were taken against them at all, though many of the citizens who believed in Socrates' innocence may well have manifested feelings of hatred and aversion for Anytus, Meletus, and Lycon, on account of the part they had played. Furthermore, the date of the stories is too distant from the time at which the three prosecutors lived ; so that their validity as evidence is questionable. Apart from this factor, they contradict one another in various details ; and even an anachronism is not wanting, namely, the reference by Diogenes Laertius to Lysippus (*n*) (who was a contemporary of Alexander the Great).

(*m*) *C. Timarch.* 173.

(*n*) Cf. Zeller, *op. cit.*, p. 169. We may add here that Diog. Laert. ii. 46, says that he composed verses on Socrates, as follows :

πῖνέ νυν ἐν Διὸς ὤν, ὦ Σώκρατες · ἦ σε γὰρ ὄντως
καὶ σοφὸν εἶπε θεός, καὶ θεὸς ἡ σοφίη
πρὸς γὰρ Ἀθηναίων κώνειον ἁπλῶς σὺ ἐδέξω ·
αὐτοὶ δ' ἐξέπιον τοῦτο τεῷ στόματι.

(" Drink then, being in Zeus's palace, O Socrates ; for truly did the god pronounce thee wise, being wisdom himself ; for when thou didst frankly take the hemlock at the hands of the Athenians, they themselves drained it as it passed thy lips.") (Trans. by R. D. Hicks, *Diog. Laert.* (London, 1925), vol. i., p. 175.)

In modern times, too, different views have been expressed: some writers hold that Socrates was a victim of fanatical intolerance and a martyr in the cause of free inquiry; others roundly declare that his execution was a judicial murder; whilst not a few assert that he was legitimately condemned to death and executed, and they base their view on different grounds. For example, Professor Bury says: "He was not condemned unjustly—according to the law. And that is the intensity of the tragedy. There have been no better men than Socrates, and yet his accusers were perfectly right." (*o*) We fear that this statement is rather dogmatic, and is not supported by any reason whatever. Professor Bury does not tell us what the actual law was that Socrates had contravened, what the precise accusation was concerning the alleged irreligion and corruption of the youth, whether it was adequately substantiated by undeniable or unrebutted evidence, and whether the reply of the defendant possessed any cogency or not. In these circumstances, the flat pronouncement that he was not condemned unjustly (according to the existing law) does not, to say the least, carry us very far (*p*). Now if Socrates was condemned justly, and that therefore he received no more than he deserved, it is difficult to see how that circumstance intensifies the tragedy. Putting aesthetic considerations aside, however, we venture to question the correctness of the view (which we have already done before) as to the legality of the execution. We have endeavoured to show in preceding chapters that, whatever the strict letter of the law was with regard to irreligion, there were many and large relaxations in practice, that an application of the strict letter of the law was incompatible with the most enlightened public opinion, that numerous innovations were prevalent, foreign divinities were worshipped by numbers of people, many superstitious ideas of exotic origin had grown up, many citizens were initiated into the Orphic and Corybantic mysteries, Pythagorean asceticism was gaining ground, sceptical opinions spread, especially among the upper classes, private worship and irregular modes of divination were tolerated, that many writers and thinkers had propounded with impunity far more irreligious doctrines and made

(*o*) *History of Greece*, p. 581.

(*p*) In vol. v., p. 384 of the *Cambridge Ancient History* (which appeared after the above words were written) Mr. Bury, after mentioning certain cases of prosecution for impiety in Athens, says that it is difficult to judge them, "especially as we do not know the laws of Solon on the offence of *asebeia*, or precisely what the term included." If that is so, then it is difficult to see how the view that Socrates was legitimately condemned is reached.

far more impious observations than those that were charged against Socrates, or, indeed, than he had ever dreamt of. In a word, the law relating to impiety as applied in the case of Socrates was obsolete, and was only invoked for want of a better method of successfully silencing him (*q*). The charge of introducing new gods, if it referred to his divine voice—and it is impossible to see to what else it could have referred—was simply nugatory; the use of a private oracle was not forbidden by the law, and in any case was tolerated generally, as is shown by the fact that Socrates had never before been interfered with on account of it in the whole course of his active public life. The only definite allegation that was made in regard to impiety was the charge of atheism preferred against the defendant in open court; and that was effectively refuted—indeed, it looks as though the prosecutor was obliged ignominiously to eat his words. And with respect to the accusation of corrupting the youth, we have also endeavoured to show that it was much too vague, that no defendant could reasonably and justly have been called upon to answer it, and that to the extent that it was susceptible of any answer, Socrates clearly and adequately refuted it by his own definite repudiation and reasoned argument, supported by the ample testimony produced by him (*r*). Indeed, not only did he, in our opinion, successfully clear himself of the imputations expressed or implied in the indictment, but he also showed, indirectly, that the old religion and the traditional morality were in a state of decay, and that it was an important part of his task to stem their degeneration. Moreover, he was found guilty by a comparatively small majority in a vote of 500; so that a large number of judges who were present at the trial, heard his defence and the evidence on both sides, held him to be innocent—that is to say, that the case against him was not proved—and therefore they must have thought that his execution was unjust. Some of the condemning dicasts may perhaps not have realised the extent of the prevailing innovations (*s*), and they may have thought that Socrates was alone or principally responsible for them; if so, it was such crass and inexcusable ignorance that it cannot be accounted a justification or extenuation of their conduct.

The statement that has sometimes been made in justification of the execution, that it was an expedient measure in the Athens

(*q*) See *supra*, p. 203.
(*r*) See *supra*, p. 318 *seq.*
(*s*) Cf. A. D. Godley, *Socrates and Athenian Society in his Day* (London, 1896), pp. 190–191.

of that time to put Socrates out of the way, is an arbitrary and arrogant assertion indicating moral obliquity and juridical anarchy on the part of those who make it, rather than a sense of justice and equity. We have, to be sure, heard more than enough of this sinister doctrine of expediency, which sanctions such Machiavellian principles as "might is right," "necessity knows no law" and the rest of them—principles that cannot but conduce to turn the world into a madhouse and a shambles.

Of such wretched attempts as this to vindicate the conduct of the Athenians nothing more need be said; but other considerations based on broad moral grounds have been advanced by several writers, and they must be briefly examined here. For example, Fouillée holds that in a certain sense the condemnation of Socrates was just. Speaking of Socrates' death, he says that the very doctrine which brought about the accusation was at the same time potent enough to sustain him throughout the course of the trial as well as in his last hours. Now his doctrine was essentially to this effect: Act impartially according to the dictates of reason, and fear no man. Socrates believed—and he was not alone in holding the belief—that the universal application of this doctrine would bring about a better world; and the excellence of the doctrine was, admittedly, demonstrated by his conduct throughout the whole course of his life and right down to his last breath. Now the doctrine of Socrates, says Fouillée, represented a great idea, but it was incomplete and was not yet coextensive with the true good; and as he was not able to determine the nature of the good with sufficient universality in the realm of thought, he had to pay the penalty in the realm of reality. Hence, though the condemnation was unjust as the work of men, it became just according to the design of that providence which Socrates inculcated (*t*).

Though there was in Socrates a vein of mysticism, he was predominantly a rationalist in the widest and deepest sense of that term (*u*). Whilst he was conscious of the inscrutable ways of providence, he was concerned above all with that reasoned thought which was attainable by man and which could and should condition human conduct in an organised society of think-

(*t*) Fouillée, *op. cit.*, vol. ii., p. 408: "La condamnation, si injuste de la part des hommes, devenait juste dans les desseins de cette Providence qu'enseignait Socrate, parce que Socrate représentait une idée grande, mais incomplète et qui n'était pas encore égale en étendue au vrai bien. Pour n'avoir pas su définir assez universellement le bien dans sa pensée (λόγῳ), Socrate en supporte la peine dans la réalité (ἔργῳ)."

(*u*) See *supra*, p. 104.

ing individuals. But before condemning his principles as imperfect, it must be shown that their application actually did lead, or inevitably must have led, to disorder or injustice in a given community, say, the Athens of his time; and it seems a contradiction to assert that in the view of providence his doctrine was imperfect, seeing that providence was to him no less than to us so inscrutable that its views could not always be ascertained, and its idea of justice could not easily be apprehended. Hence, to say that Socrates' condemnation was just in the view of providence is equivalent to saying that his condemnation was just by reason of the very fact that it took place. Besides, if a philosopher did achieve perfect knowledge, so that he could avoid propounding "incomplete" ideas, he would cease to be a human philosopher, and so the conception of providence so far as he was concerned would become altogether superfluous. We are, of course, here considering the question whether the condemnation was just from the standpoint not of divine thought but of human judgment; but the view of the above-mentioned writer has been touched on here, because it is on the basis of such reasoning as his that others, comparing Socrates with Jesus (for example), have been prone to hold that the execution enforced by the Athenians was justifiable.

Again, Hegel, by means of his collision theory, endeavours to exculpate the Athenians, and discover a rational motive for their proceedings against Socrates. Thus he holds that the execution was the result of a conflict between two moral forces represented by the State and the individual, and that this result was as justifiable as it was inevitable (*x*). Now in order to arrive at the conclusion Hegel has made various assumptions: for example, that the activities of Socrates were pursued on the same basis as that of the Sophists, that the ideas of Socrates were a startling and disturbing innovation superimposed on the simple religious faith and implicit obedience to the law of the Athenian people so as to interfere dangerously with the equilibrium of society and of the body politic, and that Socrates substituted the principle "know thyself" for the Delphic oracle. But all these assumptions are not at all in accordance with historical fact, as we have seen again

(*x*) In his *Religionsphilosophie* he says also that both conflicting parties were wrong, in the view of "eternal justice," because they were one-sided, and that both were at the same time right. "Jede dieser beiden Seiten verwirklicht nur die eine derselben, hat nur die eine derselben zum Inhalt, das ist die Einseitigkeit, und der Sinn der ewigen Gerechtigkeit ist, dass Beide Unrecht erlangen, weil sie einseitig sind, aber damit auch Beide Recht . . . Est ist nur die Einseitigkeit, gegen die die Gerechtigkeit auftritt." (*Werke*, vol. xii. (Berlin, 1832), pp. 113–114.)

and again in the previous chapters ; the truth is that innovations had set in, the faith of the people had begun to alter, and laws had been criticised, found unsatisfactory and were repealed and others substituted for them before Socrates had started his mission (*y*). Socrates was a product of a transitional age ; he was not the cause of the movement that made it a transitional age ; and to say that he inculcated disrespect for the law is a complete misrepresentation of his teaching, his influence, and his entire conduct to the very last moment. Philosophical speculation in regard to a given event is of very little value if it disregards historical accuracy.

Moreover, as Zeller points out (*z*), the conflict was not a simple one between two forces equally justified and equally limited. If we may for convenience sake briefly say that the two forces were, in a large sense, conservatism and radicalism—or the potential force of orthodoxy and the kinetic force of innovation—then we find that on the one hand the alleged conservatism was erroneously regarded as representative of the State as a whole, and that on the other the alleged radicalism of the individual was not confined to that individual but pervaded the State generally. Hence this invasion of radicalism was not removable by merely crushing Socrates, and so his death was not an inevitable and imperative consequence of the collision : there were many other factors that prevented the desired restoration of the disturbed equilibrium. In other words, he was called upon by the dicasts to pay the penalty for a result that was due not to him, but to the natural development of the social organism. Accordingly, we must regard as untenable the statement of Gomperz (*a*) (who follows Hegel's theory) that the movement inaugurated by Socrates, though destined to confer great benefits on mankind, was a doubtful blessing for the Athens of that day. In the first place Socrates did not inaugurate the movement of innovation and enlightenment—he endeavoured to purge it, to remove noxious excrescences, and place it on a rational basis ; secondly, Athens needed those benefits then (that is, of Socrates' purging and clarifying dialectic) as much as we need them now. In order to support his view Gomperz emphasises that nowhere and at no time has the right of free speech existed absolutely without limit, and he refers to the testimony of J. S. Mill who, being an ardent

(*y*) Cf. Thirlwall, *History of Greece*, vol. iv., pp. 530–531.
(*z*) *Op. cit.*, pp. 199–200.
(*a*) *Op. cit.*, p. 111.

advocate of individual freedom, yet recognises limits thereto (*b*). But this argument is really irrelevant : Socrates did not claim to exercise such absolute freedom, nor did he instigate others to claim it. He recognised the authority and sanction of law, and encouraged his friends and followers to respect it ; he was not disloyal to his State, simply by reason of the fact that he desired to remove the conceit of knowledge in the individual citizen and certain blemishes that disfigured the body politic and were conducive to inefficiency and precariousness on the part of the government. The argument is also inapplicable, because the analogy suggested by Gomperz is an unfair one : he compares the peaceful avocation of Socrates and his communion with his few quiet philosophic followers to the pernicious incitement of an excited mob by an inflammatory revolutionary.

Any reasons are apparently good enough for supporting the views of those who have made up their minds that there was something wrong about Socrates ; some say that he ought to have opposed the existing law instead of passively submitting to it, whilst others say that he was condemned justly because he opposed the existing law. And yet, in the view of Hegel, whilst Socrates was justly condemned we are nevertheless to admire his moral grandeur and independence. But the moral greatness of a man would be moral littleness if he submitted unquestioningly and automatically to what he considered wrong and unjust. It is this very opposition that prepares the way for a formal alteration of legislative and other conditions that need to be altered in conformity with more enlightened views ; if everybody—he who has vision as much as he who is either blind or a mere automaton —simply submitted without reserve there would be little reason at any time for altering law, except to satisfy the caprice of a few who might thus force their wills on the mechanically obedient community at large.

The fact is that this collision theory of Hegel is an adequate method of explaining the significance of tragedy as an art, and the exaltation of the spectator in beholding it ; but it is not appropriate for estimating the justice of a judicial condemnation

(*b*) *On Liberty* (London, 1859), p. 100 (chap. iii. *in init*) : " No one pretends that actions should be as free as opinions. On the contrary, even opinions lose their immunity, when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act. An opinion that corn-dealers are starvers of the poor, or that private property is robbery, ought to be unmolested when simply circulated through the press, but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer, or when handed about among the same mob in the form of a placard."

in actual life. For this purpose accurate facts are much more necessary than aesthetic theories.

Caird, too, maintains that Socrates was "literally and absolutely" guilty of the charges made against him (c), because his teaching was "essentially individualistic and unsocial in its effect," in that it sought "to awaken men to reflexion, to arouse them to a clear consciousness of themselves, to realise for themselves what they were to make of their lives"; for to do this in a State possessing a national religion was "profoundly irreligious" conduct. This view is invalid, because it is reached with entire disregard of the conditions prevailing in Athens. The writer speaks as though the Athens of the time was an absolutely stationary and closely knit community that was thoroughly homogeneous and orthodox in matters of religion, as though resolutions of public policy and legislative enactments and decisions in the dicasteries were arrived at by a sudden and spontaneous unanimity, and as though there were no such things as controversies and dissenting opinions as well as the dominant opinions of the more forcible and assertive members of the community who were able by their more skilful tactics and greater debating acumen to impose their wills on many fellow-citizens. Socrates' offence was that he wished to substitute carefully reasoned knowledge for unreasoned and unreasoning opinion; but to attempt in a peaceable manner to clarify the minds of citizens and chasten their hearts, to make citizens thinking men instead of unthinking machines is not an anti-social act at all. No doubt Socrates, with his progressive doctrines and his uncompromising method of inquiry and his views as to the competence and qualification of the leaders of the State, was obnoxious to many of the politicians of the day, and they finding the cap fit only too well were anxious to put him out of the way. It may have been expedient for them to do so, but that is not to say that it was just and legitimate. The fact that such a result could be brought about in these conditions emphasises the necessity of separating politics from the administration of the law, and organising the national institutions in such a way that neither the legislature nor the executive can participate in judicial functions or improperly influence the judiciary.

Our conclusion must therefore be that, considering the circumstances of the time, the nature of the prosecution, the real motives

(c) E. Caird, *The Evolution of Theology in the Greek Philosophers* (Glasgow, 1923), vol. i., p. 76.

of the accusers, the reply of the defence, and the character of the defendant's whole life, his condemnation was unjust. We fully agree with Zeller, who says : " His condemnation was a crying political anachronism, one of those unfortunate measures, by which a policy of reaction is ever sure to expose its incompetence and short-sightedness " (*d*). And the charges that were brought against him were undoubtedly based on " misunderstanding, perversions, or false inferences " (*e*), as well as on prejudice and malice.

(*d*) *Op. cit.*, p. 199.
(*e*) *Ibid.*, p. 187.

CHAPTER XXI

CONCLUSION : SOCRATES' POSITION AND INFLUENCE

Jamque opus exegi, quod nec Jovis ira, nec ignes,
Nec poterit ferrum, nec edax abolere vetustas.

(Ovid.)

(I have now finished a work, which neither Jove's anger,
Nor fire, nor sword, nor devouring time can destroy.)

Ἀνδρῶν γὰρ ἐπιφανῶν πᾶσα γῆ τάφος.

(Thucydides.)

(Great men have the whole world for their tomb.)

Οὐκ ἔστι γῆρας τῶν σοφῶν · ἐν οἷς ὁ νοῦς
θείᾳ ξύνεστιν ἡμέρᾳ τεθραμμένος.

(Sophocles.)

(The wise can ne'er grow old, for with them dwells
A soul sustained by Truth in Heaven's own time.)

. . . τῶν τότε ὧν ἐπειράθημεν ἀρίστου καὶ ἄλλως φρονιμωτάτου καὶ δικαιοτάτου.

(*Phaedo*, 118.)

(Of all those of his time whom we have known he was the best and wisest and most righteous man.)

THE essence of the whole thought and teaching of Socrates was that the predominant duty of man is to know himself, and that "an unexamined life is not worth living"—that is the principle he proclaimed before the assembly of judges, and that is the vitalising principle of all systematic human thought. His grand object was to gain an insight into man, into his individual and social life, into his moral and intellectual nature ; to fathom the seeming mystery of the nature of knowledge, to ascertain its proper basis and conditions ; to lay the foundations of a universally applicable morality by showing the indissoluble relationship of virtue to knowledge, of the power to do well to the faculty of seeing clearly. And in endeavouring to accomplish this purpose, he brought into being a philosophy of conceptions, the fundamentals of logic, and turned the existing rudiments of a promising method of inquiry into a fully developed potent instrument whereby falsehood might be more effectually separated from truth.

He startled his contemporaries by insisting on the supreme importance of the "tendance of the soul" in its relation to the fashioning of character and personality, and on the supreme claim

of reason as against the uncertain promptings of undisciplined feeling. His doctrine that knowledge was identical with virtue did not really disregard the part played by volition; for to him the intellect and the will were but two aspects or manifestations of the same underlying conative spirit or urge of life—man's vision of what is good for him (if only the vision is clear enough) being necessarily accompanied by his desire and effort to attain it. Hence right knowledge, which is more akin to inner light than to systematic information, is an indispensable condition of human progress and happiness: it is not a question of how much knowledge one possesses, but how, in what sense, and for what purpose one possesses it.

Whilst he was a genuine Athenian in some things—in his love of social intercourse and conversation, in the play of his intellect combining the serious and the humorous, in his championship of the sovereignty of the law as against arbitrary authority, in his devotion to the national poets, in his idea of education as the cultivation of a healthy mind in a healthy body, in his aversion from a rigorous asceticism—yet in many important respects he was so much out of harmony with his age that he stood forth as a strange product—as though he had come from another world—difficult to fit into the prevailing life and thought of his environment. He pursued his own course regardless of what his fellow-creatures thought, he fastened on the results of his own impartial reasoning regardless of the sanctions of convention and tradition. Like other men he paid heed to expediency; but his sense of expediency, which meant the appropriateness of a given means for achieving a worthy purpose, differed entirely from theirs, which was a narrow self-regarding utilitarianism and capricious opportunism.

For the authority of the multitude, then, he would substitute the reasoned thought of the individual in all matters, private, social, and religious; but the individual was not to interfere with the political organisation or the laws of the State except by constitutional and peaceful means: for respect to that extent for the determinations of the multitude was to be paid for the very purpose of making possible at all the enjoyment of his freedom and private judgment. The harmony he sought was the harmony with his own self—the sanction of his own light and his own spirit, the guidance of his own examined convictions; the harmony to which his fellow-Athenians aspired was unquestioning conformity to the public demands and national interests.

He stood, as a "citizen of the world," for a large comprehensive humanism and universal philanthropy as against the prevailing spirit of narrow exclusiveness and self-centred patriotism; and as a philosopher desiring the highest leading and true elevation of mankind he believed in the aristocracy of intellect and virtue as against the fortuitous or factitious distinctions of class divisions.

Socrates was thus a connecting-link between the old and the new—between the age of traditionalism, of materialistic or superstitious conceptions of the world and its phenomena, and the age of intellectual freedom and predominant concern with human affairs. For the old physics he substituted a new ethics, for the old restricted "realism" he substituted a lofty idealism. His enemies had intended to put a stop to his influence, but his spirit survived his death: it gave an added impulse to the current of innovation, and it promoted his cause in the establishment of various Socratic schools which diffused his teaching, cherished his memory, and handed down his precious heritage to succeeding ages (*a*):

"The picture of the dying Socrates must at the time have been in the highest degree, what it is now after centuries have passed—a simple testimony to the greatness of the human mind, to the power of philosophy, and to the victory of a spirit pious and pure, reposing on clear convictions. It must have appeared to his followers like a guiding star for their inner life shining in all its glory; and thus it is depicted by Plato's master hand. It must have increased their admiration for their teacher, their zeal to imitate him, their devotion to his teaching. By his death the stamp of higher truth was impressed on the life and words. The sublime repose and happy cheerfulness with which he met death, was the strongest corroboration of all his convictions, the zenith of a long life devoted to knowledge and virtue" (*b*).

Socrates was indeed a pioneer of great originality. We have absorbed so thoroughly and have become so familiar with the rich fruit of his labours that we are apt to lose sight of the power and the daring that were then necessary for pursuing them. His intellectual freedom which seemed a danger to the Athenians is to us a sacred and jealously guarded possession, the theories that appeared to be mischievous paradoxes to his fellow-citizens are accepted by us as illuminating and fructifying principles, his whole life which seemed to the Athenians an importunate nuisance is to us an inspiring example. And so his influence on mankind has

(*a*) Cf. Athen. v. 21 b, c; Aulus Gellius, *Noct. Att.* ii. 17.
(*b*) Zeller, *op. cit.*, p. 201.

been as profound as it is enduring. As J. S. Mill well observes: "Socrates was put to death, but the Socratic philosophy rose like the sun in heaven, and spread its illumination over the whole intellectual firmament" (*c*).

Unlike many other philosophical thinkers, Socrates cannot be labelled, and his teaching which is concerned with the basic principles of human thought and action cannot be confined within the narrow limits of this or that formula. Hence all schools of philosophy have acclaimed him a master: by some he has been hailed as a sceptic, by others as a mystic; some, again, have invoked him as a deist, others as a freethinker; he has been praised as a democratic social reformer, and also as an advocate of aristocracy in government (*d*). He is none of these exclusively, but he is something of each of them. Above all, he is himself, he is *sui generis*, combining a certain positivism with his predominant rationalistic speculation, the fervour, exaltation, and vision of a seer with the cool, dispassionate spirit of a scientific investigator, disdain for the multitude with revolutionary proclivities, respect for law with fearless criticism of government and political institutions, love for his fellow-creatures with a tendency to withdraw within himself, belief in the explicit process—carried on in co-operation with others—of dialectic with a habit of protracted contemplation: his character and ideas thus constitute a unity, despite apparent contradictions (*e*). Indeed, in him more strikingly than in any other thinker that has ever lived do we find philosophy and personality in indissoluble unity; his life was a visible expression of his ideas, and there is no doubt that the influence of his doctrines would have been less potent had they been dissociated from his lovable, fascinating, and inspiring personality. His invariable consistency and unfaltering loyalty to his principles were manifested at his death as conspicuously as they were during his life.

Socrates, who was sacrificed unjustly and also unnecessarily to political policy, was a martyr to the cause of free inquiry. Truly he gained his life in losing it; for in the streets of Athens he passed through life as a strange enigma (*f*) misunderstood by the

(*c*) *On Liberty* (1859), p. 59.
(*d*) Cf. Burnet, *The Socratic Doctrine of the Soul. A lecture*, p. 4.
(*e*) Cf. Boutroux, *op. cit.*, pp. 69-70.
(*f*) Cf. K. Joël, *op. cit.*, vol. ii., p. 961: "Als ein leibhaftiges Räthsel ging er durch das Leben, und er suchte doch die Auflösung suchte die Welt und wollte gar nicht den Paradoxen spielen. Er heirathete—und blieb unverstanden von seinem Weibe; er that seine Bürgerpflicht und ward verkannt und verketzert von seinem Volke; er ging auf die Strasse und fragte die Leute und kam nicht zum Wissen; er grübelte in seinem Inneren und blieb sich selber ein Räthsel."

greater part of his fellow-creatures, and misrepresented, traduced, and detested by many. Considering the nature of his life and his teaching, and the unprecedented dramatic as well as philosophic appropriateness of his death, we cannot wonder that he came to be apotheosised. Cicero called him the " deus philosophorum " ; and the Emperor Julian in a letter to the philosopher Themistius wrote (*g*) :

" The achievements of Alexander the Great are outdone in my eyes by Socrates son of Sophroniscus. It is to him I ascribe the wisdom of Plato, the fortitude of Antisthenes, the generalship of Xenophon, the Eretriac and Megaric philosophies, with Cebes, Simmias, Phaedo and countless others. To him too we owe the colonies that they planted, the Lyceum, the Stoa and the Academies. Who ever found salvation in the victories of Alexander ? . . Whereas it is thanks to Socrates that all who find salvation in philosophy are being saved even now."

Erasmus regarded him as a saint and was disposed to say : " Sancte Socrates, ora pro nobis." Rousseau compared him to Jesus ; Shelley spoke of him as " the Jesus Christ of Greece " ; and many in different ages have deemed him to be " the greatest of the Christians before Christ " (*h*). He has been compared also to Buddha and to the greatest of the Hebrew prophets. The fathers of the Church, when replying to pagan attacks, referred to the martyr of the hemlock as the precursor of the Martyr of the Cross, and regarded the Socratic and Platonic doctrines as preparatory to the teaching of Christianity. For not only did his views on the whole show a certain progressive movement towards monotheism, but he also introduced into the sphere of speculative philosophy the teleological conception of the universe, the doctrine of a divine purpose in creation, the idea of the existence of an omniscient and omnipotent Supreme Being, who controls the destinies of men but requires them to work out their own salvation by means of knowledge and virtue ; and he taught too the doctrine of the subsistence of personal relations between the Supreme Being and mankind (*i*).

There are, indeed, numerous points of resemblance as well as various differences between the great Athenian teacher

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(*g*) Quoted by Burnet, *The Socratic Doctrine of the Soul. A lecture*, pp. 3-4.

(*h*) Cf. A. Harnack, *Sokrates und die alte Kirche* (Giessen, 1901) (a rectorial address), p. 4 : " Jesus Christus und Sokrates . die beiden Namen bezeichnen die höchsten Erinnerungen, welche die Menschheit besitzt."

(*i*) Cf. J. Drummond, *Philo-Judaeus ; or the Jewish-Alexandrian Philosophy in its Development and Completion*, 2 vols. (London, 1888), vol. i., pp. 51, 54.

and the founder of Christianity (*k*). Let us glance first at the differences.

The task of Socrates was an intellectual one, his appeal being essentially to the mind—to reason ; the task of Christ was above all a spiritual one, so that his appeal was rather to the heart. The concern of Socrates was with man as an efficient thinker, for he believed that there was in him a self that could and should be known, and that such knowledge prepared the way for the acquisition of wisdom—the process thus being one of attainment ; but on the content of the wisdom that is indispensable for happiness Socrates does not throw much light. The concern of Christ was, on the contrary, with man *qua* man, and he insisted that there was within him a kingdom of heaven which might be realised in a process of perfection—by conscious endeavour—by way of self-sacrifice, love, and faith, so that a complete transfiguration of life would be brought about ; and for this purpose an intimate relation between God and man was essential. Gotama too, like Socrates, declared that all suffering was due to ignorance : " Ye shall know the truth, and the truth shall set you free."

Whilst Socrates looked on virtue in the light of a science (knowledge), whereby justice and courage and temperance might be attained, Jesus laid stress also on man's motives besides his mental processes, and to justice he added mercy, to courage forgiveness, and to temperance purity of thought. Socrates perceived the possibility of uniting mankind on a common intellectual basis, so that mind might touch mind ; Jesus perceived the unity of mankind on the spiritual side of life, illuminated by love and a deep sense of inalienable brotherhood. Indeed, it is in this element of love that Socrates' character and teaching are, comparatively speaking, deficient. He had generosity, forbearance, magnanimity, and a large philanthropy ; but he was not unconscious of his own self-sufficiency and superiority to others, and above all he had not that unobtrusive dignity, that profound love and sympathy, that overwhelming tenderness, gentleness, and compassion which could so kindle the hearts and souls of the multitudes that they would face death unflinchingly and even joyfully. " He is like a keen, playful, bracing north-west wind, invigorating and nerving whatever is in itself hard and firm ; but whirling away in merciless sport whatever is light and frail, nipping and freezing whatever is timid and tender " (*l*). His cool dispassionate reasoning

(*k*) See R. M. Wenley, *Socrates and Christ* (Edinburgh and London, 1889).
(*l*) W. Everett, " Socrates and Christ," in *Unitarian Review* (Boston, 1874), pp. 108–125 ; at pp. 117–118.

attitude was shown strikingly on the day of his death, when he abruptly dismissed Xanthippe and his children because they wept aloud—so that he might be able to converse quietly with his philosophic friends. This scene forms a notable contrast to the gentleness, intimacy, and union of mother and son at the cross of Golgotha.

Nor is there room for hope and consolation in Socrates' teaching, which could provide little support for the wretched and suffering, for the downtrodden and for the victims of injustice; and most men when beset by covetousness and temptation could find little help in the thought that knowledge was virtue, and that the application of a dialectical process of investigation would prove them to be in the wrong. Thus Socrates' doctrine was for the most part negative and unsystematic, and even tentative if not admittedly doubtful; whilst that of Christ was conspicuously positive and systematic too, despite its seemingly fragmentary character, and it is not the less profound and far-reaching because of its apparent simplicity and direct exhortatory form.

Accordingly, the ideas of Socrates, pure and lofty and noble as they are, are not the most appropriate means for reforming the moral character of the mass of men, and for arousing in them a burning desire to attain to a new life. They possess a limited appeal—chiefly for those of intellectual capacity and philosophic temper. They were no doubt capable of sustaining him in his difficulties and troubles as well as in the hour of death—at all events, along with the injunction of his divine voice; but only intellectual supermen like himself would find his doctrine one of adequate potency in such circumstances—the generality of men would need the light of hope and the warmth of beckoning love to sustain them. In the Socratic philosophy (at least, as distinguished from the Platonic) immortality appears to be doubtful; whereas the Christian doctrine would be unintelligible without it.

But the points of resemblance between the founder of moral philosophy and the founder of Christianity are more numerous than their differences. The environment of each was in various respects similar; the people round about them were suspicious of innovation and hostile to reformers and enlighteners, though the "sap and spirit of religion" was disappearing, and the old rigorous principles of morality were "more honoured in the breach than in the observance." Neither found a kingdom in this world, and both were conscious of their power to rise above their

age. In the midst of a degenerate society they brought doctrines that were pure and exalted, and living throughout a life of austere simplicity, poverty, and privation they urged them persistently with a single-minded devotion to their appointed mission, notwithstanding the scorn, hatred, and opposition of many sections of the people. They were assured that their mission was given to them from above : in the case of Socrates, it was the declaration of the Delphic oracle that started it ; Jesus heard a voice from heaven and passed his initiatory ordeal in the desert ; whilst the task of Gotama was communicated to him under the Bo-tree ; and both Socrates and Jesus were supported by an invisible power, Socrates by his " divine voice," and Jesus by his Heavenly Father.

Both Socrates and Jesus consecrated themselves exclusively to their one service of enlightening and saving their fellow-citizens, they withdrew from all other ties and turned away from other interests : thus Socrates abandoned natural philosophy, abstained from public functions, and acquiesced in the existing law, though he showed signal courage in opposing the illegal measures of arbitrary authority ; Christ refused to discuss with the Scribes the future state, and advised men to render unto Cæsar that which was Cæsar's, though he also resisted the injustice of the people. (Buddha, too, opposed the barren Brahmanical metaphysics.)

With unswerving loyalty to their ideal both were alike ready to lay down their lives for the truth : Socrates died as a philosopher, in his attempt to clarify the minds of his fellow-men ; Jesus died, as the founder of a new and purer religion, in his attempt to save the souls of men. They each possessed a personality of singularly magnetic fascination ; and their life and thought were characterised by absolute consistency. They were ready to associate with everybody who needed light : Socrates furnished it by his dialectic procedure with his homely illustrations, Jesus by his parabolic discourse with his allegorical illustrations and his gentle exhortation ; both called upon their hearers to emancipate themselves from the delusions and seductive trappings of worldly life, Socrates urging them to free their minds from the conceit and pretence of knowledge, Jesus admonishing them to recognise their sinfulness and to repent.

It is of interest to note here that the maieutic office which Socrates claimed to exercise in his dialectic inquiry has a certain parallel in the questioning method of Buddha, who often put his

questions, as Socrates did, so as to get a simple affirmation or negative for the answer, thus carrying his collocutor along with him in the argument. To give an instance. A young man, named Sona, having tried a life of asceticism realised its barrenness and was on the point of going to the opposite extreme in devoting himself to a life of pleasure, when Buddha cross-examined him thus (*m*):

"How is it, Sona, were you able to play the lute before you left home?"

"Yes, sire."

"What do you think, then, Sona, if the strings of your lute are too tightly strung, will the lute give out the proper tone and be fit to play?"

"It will not, sire."

"And what do you think, Sona, if the strings of your lute be strung too slack; will the lute then give out the proper tone and be fit to play?"

"It will not, sire."

"But how, Sona, if the strings of your lute be not strung too tight or too slack, if they have the proper degree of tension; will the lute then give out the proper sound and be fit to play?"

"Yes, sire."

"In the same way, Sona, energy too much strained tends to excessive zeal, and energy too much relaxed tends to apathy. Therefore, Sona, cultivate in yourself the mean of energy, and press on to the mean in your mental powers; and place this before you as your aim."

None of the three great masters of life insisted on extreme asceticism and self-mortification: Buddha commended the golden mean, Socrates an equipoise of faculties so that reason might control acts and desires, Jesus urged a purification of spirit, without which external formalities were vain.

Suspicion, prejudice, and hostility were aroused against Jesus and the apostles in Rome, as well as against Socrates in Athens; in both cases not only the partisans of conservatism, formalism, and orthodoxy, but also the demagogues, were bitter foes of the new ideas and doctrines, which expressly or implicitly condemned

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(*m*) *Mahâvagga*, v. 1–15, quoted in H. Oldenberg, *Buddha: his Life, his Doctrines, his Order*, Eng. trans. (London, 1882), pp. 189–190. For other interesting points of similarity, see W. L. Courtney, "Socrates, Buddha and Christ," in *North American Review*, vol. 140 (1885), pp. 63–77.

the tenor of their lives. Jesus, like Socrates, gained the adherence and aroused the profound affection of the few ; the followers of Socrates recognised in him a unique teacher and exemplar of life ; the followers of Jesus proclaimed that a great prophet had arisen among them (*n*) ; and John, the beloved disciple of Jesus, reminds us of Phaedo, the beloved disciple of Socrates, and of Aranda, the beloved disciple of Buddha.

Socrates, though he endeavoured to counteract the degenerate teaching of the Sophists was himself identified with them by his opponents, and he was depicted as an arch-Sophist by Aristophanes before thousands of spectators ; the relation of Jesus and St. Paul to the rabbis, the Scribes and Pharisees, was in some respects similar, and Tacitus described St. Paul and St. Peter as anarchists (*o*). Both Socrates and St. Paul were assailed as idle babblers and subverters of religion : Socrates was accused of introducing new gods, St. Paul of being a " setter-forth of strange gods " (*p*). Unlike the Sophists on the one hand and the rabbis on the other, both Socrates and St. Paul refused to accept remuneration for their teaching, Socrates in Athens and St. Paul in that same city as well as in Corinth.

Again, just as there are divergences in the narratives of the Evangelists, so there are differences in the narratives of Plato and Xenophon in regard to Socrates, and in the Lalitavistara and the Pati Pitakas with regard to Buddha ; but just as the Synoptic and Johannean versions may be taken as supplementing each other, so may the *Memorabilia* of Xenophon and the Socratic dialogues of Plato be regarded as supplementary to each other, Xenophon giving us an account of the everyday practical wisdom of the master, Plato portraying the profounder thought and its far-reaching implications.

Both Socrates and Jesus were commonly charged with endeavouring to abolish the traditional customs and religious institutions of their nations ; and Socrates before the court of dicasts and Jesus before the Sanhedrin were indicted for irreligion and for perverting the public morals ; against Jesus it was alleged that his teaching had brought about domestic divisions and estrangements, against Socrates it was alleged that his reasoning had induced sons to disobey their fathers. The Sanhedrin was jealous

(*n*) St. Luke, vii. 16.
(*o*) Cf. Dean Stanley, *Lectures on the History of the Jewish Church*, third series (London, 1877), pp. 223–225.
(*p*) *Acts*, xvii. 18.

of its authority—the Sadducees fearing disturbance, and the Pharisees resenting attacks on themselves and their traditions; the attitude of the dicasts towards Socrates was more or less similar; and in both cases their adversaries had recourse, in the reactionary outburst, to a formal and outworn legalism.

Socrates in his defence before the dicasts declared that he conversed in the public places with anybody who wished to engage in conversation with him, that he never taught privately, that the gods had sent him as a gadfly to stir up the sluggish minds of the people, and that it was his purpose to show them the difference between true knowledge and the conceit of knowledge, between truth and falsehood. Similarly Jesus answering Caiaphas and Pilate said: "I spake openly to the world; I ever taught in the synagogue, and in the temple, whither the Jews always resort; and in secret have I said nothing. . . . To this end was I born, and for this cause came I into the world, that I should bear witness unto the truth" (*q*).

Socrates in his last conversation with his associates counselled them, when they asked for his final directions, that they should seek true knowledge and practise virtue in accordance with his previous injunctions; Buddha at his death bade his disciples to weep not and sorrow not, but to strive on without ceasing, and observe the law and the ordinance that he had taught them (*r*); Jesus similarly enjoined on his disciples to strive on unceasingly, and to watch and pray against temptation. Lastly, the death of Socrates with its profound pathos may be almost compared to the death of Jesus with its ineffable sublimity.

It may, then, be said with truth that the mission of Socrates offers a parallel to that of Jesus, that the Athenian philosopher was in many respects a precursor of the founder of Christianity, and that his teaching prepared the way for the development of an exalted moral doctrine that has exercised an ennobling influence on civilisation.

Realising what Socrates was and what he taught, his life-long unfaltering devotion to his task, his loyalty to the right and good, his ardent and unconquerable faith in intellectual light, and his fearlessness in proclaiming it regardless of consequences and even in the face of death, we may appropriately apply to him the well-known lines of Tennyson's *Oenone*:

(*q*) *St. John*, xviii. 20, 37.
(*r*) *Mahâparimbhâna Sutta*, quoted by Oldenberg, *op. cit.*, pp. 201–202.

"Self-reverence, self-knowledge, self-control,
These three alone lead life to sovereign power.
Yet not for power (power of herself
Would come uncall'd for) but to live by law,
Acting the law we live by without fear;
And, because right is right, to follow right
Were wisdom in the scorn of consequence."

To those of us who have contemplated his pure life and his exultant death, to those of us who have pondered his recorded words, his memory is indeed an enduring fragrance; we cannot but invoke it with love, admiration, and reverence, and also with deep gratitude for a noble example that heartens us to confront the difficulties of our pilgrimage with a little more patience and perseverance, and to regard the importunate intimations of our shortening day with a little more fortitude and equanimity.

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