**Jurors and Lawyers:**

Unfortunately, you don’t have any witness testimony for this trial. However, below is an interview with I.F. Stone. Stone is an Ancient Greece expert. He explains why many Greeks considered Socrates guilty. (Pay attention Defense teams, this is your most important evidence)

I have created a large margin on the right side so you can write notes. Lawyers and justices often highlight and write notes that they think will be helpful for their case. When I collect your dossier at the end of the trial I will also give you a grade for demonstrating these study skills (see dossier rubric).

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**AN INTERVIEW WITH I.F. STONE**

*What’s the puzzle?*

The Athens of Socrates’s time has gone down in history as the very place where democracy and freedom of speech were born. Yet that city put Socrates, its most famous philosopher, to death. Presumably this was because it citizens did not like what he was teaching. Yet he had been teaching there all his life, unmolested. Why did they wait until he was 70, and had only a few years to live, before executing him?

*Do we know the actual charges against Socrates?*

There were two charges: first, that Socrates violated the law by "refusing to do reverence to the gods recognized by the city, and introducing other new divinities," and second, by "corrupting the youth." But we do not have the text of the laws on which these charges were based, nor the specific allegations.

So we do not know just what Socrates is supposed to have said or done that made him seem disrespectful of the city gods. Nor do we know what was meant by the charge of corrupting the youth. Under Athenian legal procedure such specifics were required in a preliminary complaint and hearing before a magistrate, who then decided whether the allegations and the evidence were sufficient to warrant a trial. But we have no account of this preliminary procedure, the equivalent of our grand jury.

*Why do you think Plato chose to be so uninformative?*

A lawyer might surmise that he blocked out as much as he could of the specific charges because they were too damaging and too hard to disprove.

*Do you see the same defensive strategy in Plato’s "Apology"?*

I do. Socrates evades the charge that he did not respect the city’s gods, and proves instead that he is not an atheist. But he was not charged with atheism. We never learn what was meant by corrupting the young. The reader of Plato’s "Apology" comes away with  the impression that this wonderful old philosopher was condemned simply because he had spent his life exhorting his fellow citizens to be virtuous.

*How do you account for his condemnation?*

I believe the case against Socrates was political and that the charge of corrupting the youth was based on a belief – and considerable evidence – that he was undermining their faith in Athenian democracy.

*If so, why wasn’t the charge brought earlier? He had been teaching for a long time. A quarter century before the trial, Socrates had already been attacked in Aristophanes’s play "The Clouds" for running a "think thank" whose smart-alecky graduates beat their fathers. If they thought him the source of such subversive teaching, why did the Athenians wait until 399 B.C., when he was already an old man, before putting him on trial?*

Because in 411 B.C. and again in 404 B.C. antidemocrats had staged bloody revolutions and established short-lived dictatorships. The Athenians were afraid this might happened again.

*I haven’t found that in Plato.*

Plato didn’t intend that you should. Those are the realities his "Apology" was calculated to hide. Plato’s "Apology" is a masterpiece of evasion.

*Is there any way to check Plato’s picture of the trial against the views of the average Athenian?*

We do have one piece of evidence which shows that even 50 years after the event, when there had been ample time for reflection and remorse the Athenians still regarded the trial as political, and the verdict as justified.

*Where did you find that?*

In a speech by the famous orator Aeschines, in the year 345 B.C., just 54 years after the trial of Socrates. This bit is well known to scholars but its significance has never been fully appreciated. With the clue Aeschines provides, we may begin to reconstruct the Athenian political realities. Aeschines cited the case of Socrates as a praiseworthy precedent. "Men of Athens," he said to the jury court, "you executed Socrates, the sophist, because he was clearly responsible for the education of Critias, one of the thirty anti-democratic leaders."

*Who was Critias?*

He was the bloodiest dictator Athens had ever known, a pupil of Socrates at one time, and a cousin of Plato’s. Aeschines was saying in effect that the antidemocratic teachings of Socrates helped to make a dictator of Critias, who terrorized Athens in 404 B.C. during the regime of the Thirty Tyrants and just five years before the trial of Socrates. Critias seemed to have been the most powerful member of the Thirty.

*But why do you give so much weight to one sentence in one man’s speech to an Athenian jury court 50 years after the trial?*

Aeschines could not have swayed the jury by that reference unless he was saying something about the relations between Socrates and Critias which was generally accepted as true by the Athenian public opinion of the time. Thought 50 years had passed, the dictatorship of Critias and the Thirty Tyrants must still have been a hateful memory. Justly or unjustly, Socrates’s reputation still suffered from his association with Critias. The reference to Critias and Socrates proved effective demagogy. Aeschines won his case.

*How do you account for the deep and enduring prejudice against Socrates in his native city?*

To understand this, one must touch on a damaging fact few historians have explained, or even mentioned, so great is the reverence for Socrates: *Socrates remained in the city all through the dictatorship of the Thirty Tyrants.*

*Why do you put that in italics?*

Because that single fact must have accounted more than any other for the prejudice against Socrates when the democracy was restored. The thirty Tyrants ruled only about eight months, but it was a time of terror. In that period they executed 1,500 Athenians and banished 5,000, one-tenth or more of the total population of men, women, children and slaves.

When the Thirty Tyrants took power, they murdered or drove out of the city all who were of the democratic party. A few months later, the moderates who had originally supported the Thirty Tyrants began to flee, especially after Critias murdered their leader, Theramenes. He, who had been one of the original Thirty Tyrants, was executed without a trial when he began to criticize the Thirty Tyrants for their brutality.

Socrates was neither exiled with the democrats nor forced to flee with the moderate oppositionists. He did not suffer at the hands of the thirty Tyrants unlike his chief accuser, Anytus, who lost much of his property when he fled and joined the fight to free the city. Socrates, in Plato’s "Apology," calls himself "the gadfly" of Athens, but it seems his sting was not much in evidence when Athens needed it most.

*How does Plato handle this in the "Apology"?*

He never mentions Critias, or his past as a pupil of Socrates, nor does he dwell on the fact that Socrates stayed in the city all through the dictatorship. Instead Plato has Socrates represent himself as a man above the battle of politics.

*How does Plato do that?*

He has Socrates tell of two incidents in which he defied unjust orders, once under the democracy, and again under the Thirty Tyrants. Under the democracy, he was presiding officer in the Assembly during the famous trial of ten generals accused of misconduct for failing to succor survivors and recover the bodies of the slain after a naval victory. Socrates said he blocked the attempt to condemn them in one proceeding, because the law called for a separate trial for each man. He added that he did so "although the orators were ready to impeach and arrest me."

Under the Thirty Tyrants, Socrates said, he had also resisted an unjust order. Socrates and four others had been ordered to arrest a wealthy resident alien whom the dictatorship wanted to kill so they could seize his property. Such executions for revenue purposes were common under Critias.

Instead of obeying the order, Socrates says, "I simply went home, and perhaps I should have been put to death for it, if the Government had not quickly been put down." But he himself neither helped put it down, nor tried to warn the victim, nor made a protest. Though he was always preaching virtue, he did not, like the Hebrew prophets, call such unvirtuous rulers publicly to account.

But few modern readers know enough to resist Plato’s beguiling narrative, and it serves to distract attention from the fact that nowhere in the ancient texts do we find Socrates resisting or deploring the overthrow of the democracy, nor welcoming its restoration. With the jury, this silence must have outweighed his eloquence. The dictatorship of the thirty Tyrants was the dictatorship of the wealthy landed aristocracy to which Plato and Critias belonged. This was the social circle from which most of Socrates’s followers were drawn. Athens understood this, though the modern reader often doesn’t.

*Does the "accuser" in Xenophon link the Socratic teachings with aristocratic attempts at tyranny, as in 411 and 404 B.C.?*

Yes, but in a curious, indirect way. [He alleged](http://www.law.umkc.edu/faculty/projects/ftrials/socrates/ifstoneinterview.html#Xen.,%20Mem,%201.2.56) "that Socrates, selecting the worst passages of the most celebrated poets, and using them as arguments, taught those who kept him company [i.e. his pupils], to be unprincipled and tyrannical."

*Just what exactly did those terms mean?*

A tyrant was someone who used violent and lawless methods to seize and maintain power. The term "unprincipled" is one translation of the adjectival form of the Greek word *kakourgos*, which means, literally, an evil-doer. An Athenian would of course apply both terms to such men as Critias and the Thirty Tyrants.