

Socrates, the Accused

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Was Socrates a martyr for philosophy, a victim of inquisition and intolerance? Or was he a dangerous oligarch, a subversive troublemaker, overthrowing Athenian morals and pedagogical practices? Historian Paulin Ismard picks up the investigation, placing the trial of Socrates within the intellectual context of 4th-century Athens and considering the history of its reception over the centuries.

Reviewed: Paulin Ismard, *L'Événement Socrate* [The Socrates Event], Paris, Flammarion, collection 'Au fil de l'histoire', 2013, 303pp.

In our collective consciousness, the Athenian assembly sentencing Socrates to death in 399 BC is democracy's original sin. How could a jury of Athenian citizens decide to execute the man who, according to his most famous disciple, was 'the wisest and most just and best of men' of his time?¹ Such a condemnation seems scandalous to us today, as Socrates still epitomizes the free intellectual as a victim of obscurantism. Understanding how this happened requires not only unpacking Socrates' legend, separating out the different layers of apologetic or controversial interpretation that have built up over the centuries, but also placing his trial in the historical, legal, and intellectual context of 4th-century Athenian democracy. In his book *L'Événement Socrate*, historian Paulin Ismard tackles this endeavour with both talent and clarity. His text is structured around this dual task, with the largest section (chapters 1 to 6) devoted to analysing the trial in the context of the late 5th century, and the remaining chapters (7 to 9) examining some of the principal revised readings of the trial.

Before outlining the content of these chapters in more detail, it is important to mention the title first, as it illustrates not only the book's guiding historical presupposition but also the method adopted throughout. Why talk about *L'Événement Socrate* [the 'Socrates Event']? It is more than just a catchy title. As the author explains in his introduction, the aim is to shed new light on the trial of Socrates by "taking seriously the nature of the debate that took place about the foundations of Athenian democracy" (p.13). The trial of Socrates is an *event* insofar as it offers a way of observing the workings of Athenian democracy, through a sort of snapshot of the power relations, struggles, and stakes running through it at a crucial point in its history. *L'Événement Socrate* is not a new history of the final months of Plato's and Xenophon's master, nor is it an umpteenth attempt at proving his innocence or, conversely, justifying his conviction. The important issue at stake in the book is quite different: because the "philosopher's condemnation is [...] incomprehensible outside the narrow context of Athenian political life at the end of the 4th century, which saw democrats taking back control of the city-state" (p.21), the most famous trial of Antiquity constitutes a privileged locus for examining the changes that Athenian democracy underwent after the century of Pericles.

¹ These are the final words of Plato's *Phaedo*.

The case and trial of Socrates in context

The first chapter explains the birth of the ‘Socrates case’ reminding the reader of the decisive role played by the publication, circa 390, of Polycrates’ pamphlet entitled *Accusation of Socrates*. P. Ismard is right to underline the importance of this pamphlet, which unfortunately has not survived and the contents of which can only be surmised from references made by later authors. Many of Socrates’ students replied to Polycrates’ accusations, competing with one another in their use of *logos sokratikos* to defend their master’s memory and legacy. In this chapter, P. Ismard therefore offers a brief overview of the sources available to measure the shockwave caused by Socrates’ condemnation. This panorama allows him to lay out the problem encountered by any historian concerned with understanding the underlying reasons for this event: the two main sources available – Plato and Xenophon’s works – are indispensable, but a clear perspective can only be achieved by resisting the apologetic endeavour underpinning them, by confronting them with other sources, and by piecing together the controversy to which Socrates’ death gave rise. In short, in order to understand the ‘Socrates event’, we have to understand how the ‘Socrates case’ came about, how Socrates became a controversial figure calling into question the very relationship that Athenian democracy had towards its intellectual elites.

But before the event, before the ‘case’ even, there was of course the trial. In order to understand this in turn, it is not enough to simply outline how it unfolded. First, it is important to explain just how different the workings of Athenian law were compared to those of our modern legal institutions, and P. Ismard does so admirably. With no separation of powers, no professional justice, and no public ministry, trials were above all the locus for an *agôn*, a confrontation between two people or two groups of people, before a third body of citizen-judges. The author goes on to remind his readers of the different elements of the trial: the stage, first of all, and Meletus’ act of accusation, then the different protagonists, and finally the sentence. In this particular context where the performances of those involved took centre stage, where their ability to persuade their audience was paramount, Socrates’ defence as related by Plato and Xenophon was quite clearly arrogant. Rather than defending himself, he chose to critique Athenian democracy and question the very foundations of the democratic regime.

The different aspects of Socrates’ subversion

However, this subversion of legal rhetoric is not the only reason that can explain the philosopher’s condemnation. It is also necessary to re-examine the specifically political context of the trial, where democracy had recently been re-established after the oligarchic rein of the Thirty (404-403). P. Ismard rightly reminds us that while it seems likely that most Athenians knew nothing of Socrates’ ideas about the nature of politics, which he assimilated to a form of expertise from which a majority of citizens were by definition excluded, it could not have escaped their attention that many oligarchs (not least Critias, one of the Thirty) and supporters of oligarchy frequented Socratic circles.

However, unlike many other historians, Paulin Ismard refuses to frame the trial of Socrates as a purely political affair, as nothing more than a score being settled between different factions of Athenian political life. We know that Meletus’ formal accusation contained three charges: Socrates did not recognise the city-state’s gods, he imported divinities of his own, and he corrupted the young. Regarding the first two charges and the proceedings brought against Socrates for *impiety* (*graphē asebeias*), the historian usefully warns readers against drawing hasty conclusions and seeing Socrates’ trial as an example of Athenian inquisition. In describing the norms of ritual practices in the city-state, P. Ismard

brings something essential to light. He shows that piety in Athens was a question of social behaviour, a civic issue rather than an issue of conscience or individual religiosity. Of course Socrates, or at least the Socrates of Plato's early dialogues, defended a conception of piety, and more generally of the divine, that did not sit well with traditional representations of religion. But can the accusation of impiety levied against Socrates be ascribed to this 'theology'? According to Paulin Ismard, it was not Socrates' 'daemon' or any other aspect of his 'theology' that could have justified this charge against him, particularly given that it was relatively common for new divinities to be introduced in Athens. Taking up the thesis put forward by the historian of religion Robert Parker,² P. Ismard defends the following hypothesis: the three charges in the formal accusation were "simple categories of Athenian law that were indispensable to the legal formulation of any case of impiety, but the judges did not have to rule on their veracity as such" (p.158). In other words, bringing a *graphē asebeias* against Socrates necessarily meant laying out the first two charges, but not examining them in and of themselves. The impiety that Socrates was actually accused of was not so much to be found in any particular stance taken towards the gods as in his social behaviour and pedagogical practice, reflected in the third charge of corrupting the young.

Why could Socrates' teaching have been considered a threat to the city-state? How did Socrates personally fit into the Athenian political sphere? In order to answer these questions, P. Ismard compares the principles of Sophistic education with those governing Socratic teaching, based in particular on Plato's *Dialogues*. Socrates' teaching was free and reserved to a few initiates; moreover, it detached young rich Athenians from their families and damaged the traditional values of the household (*oikos*). It therefore no doubt gave rise to hostility because it appeared as a subversive force working towards the dissolution of traditional ties structuring the city-state.

Was Socrates a threat to the city-state?

What was the *ultima ratio* justifying Socrates' indictment by the Athenians? Was it his arrogance during the trial? His links with the oligarchic faction? His personal religiosity? His teachings? Or was it all these at once? Rather than attempting to identify one ultimate – and ultimately unobtainable – reason, the strength of Paulin Ismard's book lies in showing that the answer to this question cannot be found in one particular aspect of Socrates' thinking – as Plato and Xenophon's apologies might sometimes suggest – but rather in the threat that Socrates represented for an Athenian state only just emerging from the Peloponnesian war and two traumatising oligarchic episodes. At a time when Athens was looking for the consensus that was indispensable to civic harmony, it could no longer tolerate the repeated stings of the Socratic gadfly, constantly questioning its foundations and principles. It is therefore not one cause but a combination of several causes that can explain why the Athenians condemned Socrates. This might seem a somewhat weak conclusion to the investigation, but one would be wrong to think so. As P. Ismard rightly reminds us, Socrates' conviction was nothing more than the sovereign decision of an assembly of citizens that did not have to justify their decision nor measure its conformity in relation to any legislation. One fact remains, related by Plato and, to a lesser extent, Xenophon, and with no cause to doubt it: in his trial, Socrates accused his accusers – Meletus, Antyus, and Lycon, of course, but also more broadly Athenian democracy.

² R. Parker, *Athenian Religion. A History* (Oxford: Oxford University Press, 1996).

Rereadings of the trial

Paulin Ismard's book could have ended there. However, another strength of his work is that it suggests (and shows) that Socrates' dissidence during his trial both summarised and prefigured the ambivalent relationship that Western thinking would have to Athenian democracy and indeed still has today. In the final three chapters of the book, P. Ismard offers a threefold rereading of Socrates' trial, in other words three probes into the complex and heavily charged history of its reception. First, the trial's place in Greek and Latin Christian literature is re-examined, looking at the parallels drawn between Socrates and Jesus, with the former's trial and death anticipating the martyrdom of Christ. Ismard devotes several fascinating pages to the traces of the influence of Socratic literature that can be identified in the New Testament. It was only after the 3rd century and the recognition of Christ's divine status in Christian dogma that the gap between the martyrdom of Jesus and the martyrdom of Socrates widened significantly. P. Ismard goes on to examine the status of the trial of Socrates in the Renaissance, looking at Ficino, Erasmus, and Montaigne. Instead of the conflict between Paganism and Christianity, emphasis was placed on the image of a democratic Socrates, as champion of man's natural simplicity. P. Ismard shows that for Montaigne in particular, the figure of Socrates as a martyr faded, just like the comparison between the life of Christ and the life of the philosopher, constantly present in patristic writings, disappeared.

P. Ismard concludes by focusing on the image of Socrates' trial in Enlightenment Europe, showing the extent to which the trial was subject to renewed debate and interpretation. Freethinkers had no trouble seeing Socrates as the champion of rationality and freedom, a victim of obscurantism and religious fanaticism. However, they did not elicit unanimity. Ismard rightly underscores the importance of Nicolas Fréret's treatise entitled *Les causes de la condamnation de Socrate* [The Causes of Socrates' Conviction] published in 1738. This text was a fully-fledged attack turning the accusation of religious fanaticism against the philosopher himself. By piecing together the debates and quarrels surrounding the trial of Socrates, P. Ismard contrives to show in detail how the figure of Socrates the condemned allowed the democratic ideal to enter the collective consciousness and served as a model for men of letters to think about their place in the public sphere. Eighteenth-century literature took up the philosopher under all his masks – Socrates the democrat, Socrates the anti-democrat, Socrates the victim of fanaticism and herald of freedom, and Socrates the fanatic and dangerous oligarch – providing proof, if proof were needed, of both the malleability of the Socratic legend and its inexhaustible evocative power for the political imaginary.

Reading Paulin Ismard's book is both a pleasant and an enriching experience. It is pleasant because the author writes in a clear, direct style avoiding all pedantry; it is enriching because even though the book targets a wide audience, specialists of Antiquity – whether historians, philosophers or literary scholars – will find useful information and convincing or thought-provoking analyses. I was particularly interested by the chapters devoted to impiety, which are the core of the book in many respects and where Paulin Ismard puts forward one of his key arguments: Socrates' impiety should not be understood in narrowly religious terms but on the contrary in its social and pedagogical dimension. This argument, which the author defends most competently, is important and particularly so for philosophers, who tend to think that the Socratic conception of the divine as expressed by Plato and, to a different extent, Xenophon, is the same conception that the Athenian citizens judging Socrates identified as dangerous. In this sense, Paulin Ismard's book fits perfectly with the recent renewal of Socratic studies focusing less on reconstructing the authentic thinking of the historical Socrates than on understanding the strategies of appropriation that bring to light

different figures of Socrates among both his direct disciples and in the traditions that followed.

This increasing attention paid by historians and philosophers to how the figure of Socrates has transformed throughout history is the guiding principle of the second part of the book, chapters 7 to 9. Reading the final chapters, I have to admit I was somewhat disappointed. Not because these 80 pages are not interesting. Quite the contrary! They are fascinating, but they are also elaborated unevenly. There are some surprising omissions, first and foremost the absence of Rousseau's Socrates. But it is also regrettable that the book's epilogue merely recounts the incredible ceremony organised in Athens around the trial of Socrates in May 2012, under the aegis of the Onassis foundation. The author justifies choosing to end his investigation at the end of the eighteenth century by the fact that "the trial would never again [...] take on the same controversial echo on the European intellectual stage as it did in the eighteenth century" (p.280). While this is true, it is not enough to justify not devoting even a few pages to the debates that arose after the publication of the caustic and controversial book *The Trial of Socrates*³, by I.F. Stone, the great American political journalist, defender of civil rights, outspoken critic of McCarthyism, and author of the influential *I.F.Stone's Weekly*!

Finally, I just have two regrets regarding the bibliography. Given the immense wealth of secondary literature on and around Socrates, it is perfectly normal that the book should offer an extremely selective bibliography. But given the book's formal and scientific qualities, and the main readership it addresses, it is a shame that the bibliography as it stands is difficult to use. The author himself states that its role is to supplement the references provided in the footnotes, but for the bibliography to fulfil that role it would have needed at the very least to be broken down into clear categories guiding readers who want to know more in their choices. I would add that it would also have been useful to provide a list of the classical sources referring to the trial. One of the strengths of the book is that it teaches non-specialist readers that the Socrates they know is Plato's Socrates, but that there are also many other less-known, no doubt less speculative, but ultimately very interesting, Socrates.

However, these small regrets in no way detract from the pleasure and interest that one takes in reading Paulin Ismard's book. It is a clear and extremely well-informed synthesis and I would recommend it to anyone with an interest in Socrates or, more generally, in 4th century Athenian democracy.

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³ Published in 1988 by Anchor Books and translated in French under the title *Le Procès Socrate* (Paris: Odile Jacob, 1990).