

# Socrates' Defense to the Jury

Xenophon

Otis Johnson Todd (tr.)\*

It seems to me fitting to hand down to memory, furthermore, how Socrates, on being indicted, deliberated on his defence and on his end. It is true that others have written about this, and that all of them have reproduced the loftiness of his words,—a fact which proves that his utterance really was of the character intimated;—but they have not shown clearly that he had now come to the conclusion that for him death was more to be desired than life; and hence his lofty utterance appears rather ill-considered. Hermogenes, the son of Hipponicus, however, was a companion of his and has given us reports of such a nature as to show that the sublimity of his speech was appropriate to the resolve he had made. For he stated that on seeing Socrates discussing any and every subject rather than the trial, he had said: “Socrates, ought you not to be giving some thought to what defence you are going to make?” That Socrates had at first replied, “Why, do I not seem to you to have spent my whole life in preparing to defend myself?” Then when he asked, “How so?” he had said, “Because all my life I have been guiltless of wrong-doing; and that I consider the finest preparation for a defence.” Then when Hermogenes again asked, “Do you not observe that the Athenian courts have often been carried away by an eloquent speech and have condemned innocent men to death, and often on the other hand the guilty have been acquitted either because their plea aroused compassion or because their speech was witty?” “Yes, indeed!” he had answered; “and I have tried twice already to meditate on my defence, but my divine sign interposes.” And when Hermogenes observed, “That is a surprising statement,” he had replied, “Do you think it surprising that even God holds it better for me to die now? Do you not know that I would refuse to concede that any man has lived a better life than I have up to now? For I have realized that my whole life has been spent in righteousness toward God and man,—a fact that affords the greatest satisfaction; and so I have felt a deep self-respect and have discovered that my associates hold corresponding sentiments toward me. But now, if my years are prolonged, I know that the frailties of old age will inevitably be realized,—that my vision must be less perfect and my hearing less keen, that I shall be slower to learn and

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more forgetful of what I have learned. If I perceive my decay and take to complaining, how,” he had continued, “could I any longer take pleasure in life? Perhaps,” he added, “God in his kindness is taking my part and securing me the opportunity of ending my life not only in season but also in the way that is easiest. For if I am condemned now, it will clearly be my privilege to suffer a death that is adjudged by those who have superintended this matter to be not only the easiest but also the least irksome to one’s friends and one that implants in them the deepest feeling of loss for the dead. For when a person leaves behind in the hearts of his companions no remembrance to cause a blush or a pang, but dissolution comes while he still possesses a sound body and a spirit capable of showing kindness, how could such a one fail to be sorely missed? It was with good reason,” Socrates had continued, “that the gods opposed my studying up my speech at the time when we held that by fair means or foul we must find some plea that would effect my acquittal. For if I had achieved this end, it is clear that instead of now passing out of life, I should merely have provided for dying in the throes of illness or vexed by old age, the sink into which all distresses flow, unrelieved by any joy. As Heaven is my witness, Hermogenes,” he had gone on, “I shall never court that fate; but if I am going to offend the jury by declaring all the blessings that I feel gods and men have bestowed on me, as well as my personal opinion of myself, I shall prefer death to begging meanly for longer life and thus gaining a life far less worthy in exchange for death.”

Hermogenes stated that with this resolve Socrates came before the jury after his adversaries had charged him with not believing in the gods worshipped by the state and with the introduction of new deities in their stead and with corruption of the young, and replied: “One thing that I marvel at in Meletus, gentlemen, is what may be the basis of his assertion that I do not believe in the gods worshipped by the state; for all who have happened to be near at the time, as well as Meletus himself,—if he so desired,—have seen me sacrificing at the communal festivals and on the public altars. As for introducing ‘new divinities,’ how could I be guilty of that merely in asserting that a voice of God is made manifest to me indicating my duty? Surely those who take their omens from the cries of birds and the utterances of men form their judgments on ‘voices.’ Will any one dispute either that thunder utters its ‘voice,’ or that it is an omen of the greatest moment? Does not the very priestess who sits on the tripod at Delphi divulge the god’s will through a ‘voice?’ But more than that, in regard to God’s foreknowledge of the future and his forewarning thereof to whomsoever he will, these are the same terms, assert, that all men use, and this is their belief. The only difference between them and me is that whereas they call the sources of their forewarning ‘birds,’ ‘utterances,’ ‘chance meetings,’ ‘prophets,’ I call mine a ‘divine’ thing;<sup>1</sup> and I think that in using such a term I

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<sup>1</sup>Or “divine sign.” Here, as earlier, the mere adjective is used; but in Plato’s *Theages* (128D ff.) and

am speaking with more truth and deeper religious feeling than do those who ascribe the gods' power to birds. Now that I do not lie against God I have the following proof: I have revealed to many of my friends the counsels which God has given me, and in no instance has the event shown that I was mistaken."

Hermogenes further reported that when the jurors raised a clamor at hearing these words, some of them disbelieving his statements, others showing jealousy at his receiving greater favors even from the gods than they, Socrates resumed: "Hark ye; let me tell you something more, so that those of you who feel so inclined may have still greater disbelief in my being honored of Heaven. Once on a time when Chærephon<sup>2</sup> made inquiry at the Delphic oracle concerning me, in the presence of many people Apollo answered that no man was more free than I, or more just, or more prudent."

When the jurors, naturally enough, made a still greater tumult on hearing this statement, he said that Socrates again went on: "And yet, gentlemen, the god uttered in oracles greater things of Lycurgus, the Lacedæmonian law-giver, than he did of me. For there is a legend that, as Lycurgus entered the temple, the god thus addressed him: 'I am pondering whether to call you god or man.' Now Apollo did not compare me to a god; he did, however, judge that I far excelled the rest of mankind. However, do not believe the god even in this without due grounds, but examine the god's utterance in detail. First, who is there in your knowledge that is less a slave to his bodily appetites than I am? Who in the world more free,—for I accept neither gifts nor pay from any one? Whom would you with reason regard as more just than the one so reconciled to his present possessions as to want nothing beside that belongs to another? And would not a person with good reason call me a wise man, who from the time when I began to understand spoken words have never left off seeking after and learning every good thing that I could? And that my labor has not been in vain do you not think is attested by this fact, that many of my fellow-citizens who strive for virtue and many from abroad choose to associate with me above all other men? And what shall we say is accountable for this fact, that although everybody knows that it is quite impossible for me to repay with money, many people are eager to make me some gift? Or for this, that no demands are made on me by a single person for the repayment of benefits, while many confess that they owe me a debt of

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*Apology* (31D) this admonitory something is described as a voice sent by heavenly dispensation, and is called variously "the sign" (*Apology* 41D), "the usual sign" (*Apology* 40C), "the divine sign" (*Rep.* 496C), "the usual divine sign" (*Euthyd.* 272E, *Phædrus* 242B, *Theages* 129 B), "the sign from God" (*Apology* 40B), "something God-sent and divine" (*Apology* 31D). Plato reports Socrates' description of this as a voice not directing his actions but serving only as a deterrent when he or his friends were contemplating doing something inadvisable.

<sup>2</sup>A very enthusiastic follower of Socrates.

gratitude? Or for this, that during the siege,<sup>3</sup> while others were commiserating their lot, I got along without feeling the pinch of poverty any worse than when the city's prosperity was at its height? Or for this, that while other men get their delicacies in the markets and pay a high price for them, I devise more pleasurable ones from the resources of my soul, with no expenditure of money? And now, if no one can convict me of misstatement in all that I have said of myself, do I not unquestionably merit praise from both gods and men? But in spite of all, Meletus, do you maintain that I corrupt the young by such practices? And yet surely we know what kinds of corruption affect the young; so you tell us whether you know of any one who under my influence has fallen from piety into impiety, or from sober into wanton conduct, or from moderation in living into extravagance, or from temperate drinking into sottishness, or from strenuousness into effeminacy, or has been overcome of any other base pleasure." "But, by Heaven!" said Meletus: "there is one set of men I know,—those whom you have persuaded to obey you rather than their parents." "I admit it," he reports Socrates as replying, "at least so far as education is concerned; for people know that I have taken an interest in that. But in a question of health, men take the advice of physicians rather than that of their parents; and moreover, in the meetings of the legislative assembly all the people of Athens, without question, follow the advice of those whose words are wisest rather than that of their own relatives. Do you not also elect for your generals, in preference to fathers and brothers,—yes, by Heaven! in preference to your very selves,—those whom you regard as having the greatest wisdom in military affairs?" "Yes," Meletus had said; "for that is both expedient and conventional." "Well, then," Socrates had rejoined, "does it not seem to you an amazing thing that while in other activities those who excel receive honors not merely on a parity with their fellows but even more marked ones, yet I, because I am adjudged by some people supreme in what is man's greatest blessing,—education,—am being prosecuted by you on a capital charge?"

More than this of course was said both by Socrates himself and by the friends who joined in his defence. But I have not made it a point to report the whole trial; rather I am satisfied to make it clear that while Socrates' whole concern was to keep free from any act of impiety toward the gods or any appearance of wrong-doing toward man, he did not think it meet to beseech the jury to let him escape death; instead, he believed that the time had now come for him to die. This conviction of his became more evident than ever after the adverse issue of the trial. For, first of all, when he was bidden to name his penalty, he refused personally and forbade his friends to name one, but said that naming the penalty in itself implied an acknowledgment of guilt. Then, when his companions wished to remove him clandestinely from prison, he would not accompany them, but

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<sup>3</sup>The blockade of Athens by the Spartans in the last year of the Peloponnesian War.

seemed actually to banter them, asking them whether they knew of any spot outside of Attica that was inaccessible to death.

When the trial was over, Socrates (according to Hermogenes) remarked: “Well, gentlemen, those who instructed the witnesses that they must bear false witness against me, perjuring themselves to do so, and those who were won over to do this must feel in their hearts a guilty consciousness of great impiety and iniquity; but as for me, why should my spirit be any less exalted now than before my condemnation, since I have not been proved guilty of having done any of the acts mentioned in the indictment? For it has not been shown that I have sacrificed to new deities in the stead of Zeus and Hera and the gods of their company, or that I have invoked in oaths or mentioned other gods. And how could I be corrupting the young by habituating them to fortitude and frugality? Now of all the acts for which the laws have prescribed the death-penalty—temple robbery, burglary, enslavement, treason to the state—not even my adversaries themselves charge me with having committed any of these. And so it seems astonishing to me how you could ever have been convinced that I had committed an act meriting death. But further, my spirit need not be less exalted because I am to be executed unjustly; for the ignominy of that attaches not to me but to those who condemned me. And I get comfort from the case of Palamedes,<sup>4</sup> also, who died in circumstances similar to mine; for even yet he affords us far more noble themes for song than does Odysseus, the man who unjustly put him to death. And I know that time to come as well as time past will attest that I, too, far from ever doing any man a wrong or rendering him more wicked, have rather profited those who conversed with me by teaching them, without reward, every good thing that lay in my power.”

With these words he departed, blithe in glance, in mien, in gait, as comported well indeed with the words he had just uttered. When he noticed that those who accompanied him were in tears, “What is this?” Hermogenes reports him as asking. “Are you just now beginning to weep? Have you not known all along that from the moment of my birth nature had condemned me to death? Verily, if I am being destroyed before my time while blessings are still pouring in upon me, clearly that should bring grief to me and to my well-wishers; but if I am ending my life when only troubles are in view, my own opinion is that you ought all to feel cheered, in the assurance that my state is happy.”

A man named Apollodorus, who was there with him, a very ardent disciple of Socrates, but otherwise simple, exclaimed, “But, Socrates, what I find it hardest to bear is that I see you being put to death unjustly!” The other, stroking Apollodorus’ head, is said to have replied, “My beloved Apollodorus, was it your preference to see me put to

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<sup>4</sup>One of the Greek warriors at Troy; put to death on a charge of treason trumped up by Odysseus; or by Odysseus, Diomedes, and Agamemnon.

death justly?” and smiled as he asked the question.

It is said also that he remarked as he saw Anytus<sup>5</sup> passing by: “There goes a man who is filled with pride at the thought that he has accomplished some great and noble end in putting me to death, because, seeing him honored by the state with the highest offices, I said that he ought not to confine his son’s education to hides.<sup>6</sup> What a vicious fellow,” he continued, “not to know, apparently, that whichever one of us has wrought the more beneficial and noble deeds for all time, he is the real victor. But,” he is reported to have added, “Homer has attributed to some of his heroes at the moment of dissolution the power to foresee the future; and so I too wish to utter a prophecy. At one time I had a brief association with the son of Anytus, and I thought him not lacking in firmness of spirit; and so I predict that he will not continue in the servile occupation that his father has provided for him; but through want of a worthy adviser he will fall into some disgraceful propensity and will surely go far in the career of vice.” In saying this he was not mistaken; the young man, delighting in wine, never left off drinking night or day, and at last turned out worth nothing to his city, his friends, or himself. So Anytus, even though dead, still enjoys an evil repute for his son’s mischievous education and for his own hard-heartedness. And as for Socrates, by exalting himself before the court, he brought ill-will upon himself and made his conviction by the jury all the more certain. Now to me he seems to have met a fate that the gods love; for he escaped the hardest part of life and met the easiest sort of death. And he displayed the stalwart nature of his heart; for having once decided that to die was better for him than to live longer, he did not weaken in the presence of death (just as he had never set his face against any other thing, either, that was for his good), but was cheerful not only in the expectation of death but in meeting it.

And so, in contemplating the man’s wisdom and nobility of character, I find it beyond my power to forget him or, in remembering him, to refrain from praising him. And if among those who make virtue their aim any one has ever been brought into contact with a person more helpful than Socrates, I count that man worthy to be called most blessed.

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<sup>5</sup>One of the three plaintiffs in Socrates’ trial.

<sup>6</sup>The tanning trade had been in the family from at least the time of the boy’s grandfather.