

INTRODUCTION

1 SOCRATES

In 399 BC Socrates was prosecuted, convicted, sentenced to death, and executed. The *Apologies* (Ἀπολογία or *Defences*) by Plato and Xenophon describe how he conducted himself at his trial.

At the time of his death, Socrates was seventy (Pl. *Cri.* 52e). He had long been, and long continued to be, highly controversial.¹ The *Apologies* are only a small part of the large literature generated by the controversy. The oldest surviving part of that literature dates from the 420s: a comedy by Aristophanes, the *Clouds*, in which Socrates is subjected to an extended mockery that, in Pl. 18a7–e4, he fears may have prejudiced the court against him. Apart from a few fragments of other comedies, also hostile (*SSR1.A*), the *Clouds* is the only account we have of Socrates that we know to have been produced in his lifetime. Perhaps already to some extent in his lifetime, and certainly in vast profusion in the next few decades after his death, those who knew and admired Socrates wrote many accounts of him and his activities. Many of these accounts survive only in fragments (all gathered in *SSR*). Such of these accounts as survive intact are almost all by Xenophon and Plato; those by other authors have all been transmitted with Plato's genuine works. Furthermore, much is said about Socrates by ancient authors born too late to have known him personally. Of these authors, Plato's pupil Aristotle is the one best placed to give us independent confirmation or denial of what is said by Aristophanes, Xenophon, and Plato.

For all the debates that there have been about Socrates, some things can nevertheless be said that should not rouse controversy. One is that Socrates was, in many ways, alarmingly unprepossessing. He was conspicuously ugly (Pl. *Thi.* 143e, Xen. *Smp.* 5.3–6) – and this in a city where men could win beauty contests, and boast of it (And. 4.42). He expressed admiration for Sparta (Pl. *Cri.* 52e, Ar. *Birds* 1281–3, Xen. *Mem.* 3.5.15–16), a city with which, for large parts of his lifetime, his own city was at war. He dressed shabbily, to the point of regularly going barefoot, even in the worst of weather (Ar. *Clouds* 103, Xen. *Mem.* 1.6.2, Pl. *Smp.* 220b). He rarely washed (Ar. *Birds* 1554–5, *Clouds* 830–7, Pl. *Smp.* 174a). He had some peculiar mannerisms of deportment, exhibited without regard to circumstance: both on a battlefield, and on the streets of Athens, he would

¹ What people down the ages have made of Socrates is discussed in the two volumes of Trapp (2007). Vander Waerdt (1994) and Ahbel-Rappe and Kamtekar (2009) 275–510 give other perspectives that between them cover the same chronological span.

strut and glance from side to side, in his own characteristic way (Ar. *Clouds* 362, Pl. *Smp.* 221b); he had an habitual broad stare, that he would give even when smiling (Pl. *Phd.* 86d); he would bow his head, and look up like a bull, even when cheerful (Pl. *Phd.* 117d; when someone else gives such a look in Ar. *Frogs* 803–4, it shows that he is taking something badly). He habitually went into immobile trances (Pl. *Smp.* 175a–b and 220c–d). He used to hear a voice that he took to be of supernatural origin: this voice would often tell him not to do a thing he had in mind (Pl. 31c4–d5, 40a3–c3, 41d5–6, *Th.* 151a, *Euthd.* 272e, *Phdr.* 242b–c, *Alc. Ma.* 103a), and perhaps gave other advice and instructions too (Xen. 13.34–6, Xen. *Mem.* 1.1.4, [Pl.] *Thg.* 128d–131a). This supernatural voice was not the only voice that he heard: when philosophical ideas occurred to him, he would sometimes talk of their source as other voices sounding in his head (Pl. *Hp. Ma.* 286c–d and *Cri.* 54d).²

Although a husband and a father (e.g. Pl. *Phd.* 60a), Socrates liked to profess, in extravagant terms, erotic feelings for young men: thus in Xen. *Smp.* 4.27–8, someone says he has seen Socrates sitting beside Critoboulus, sharing a book with him, touching ‘head to head, and bare shoulder to bare shoulder’, and Socrates says that his shoulder itched for days afterwards, as if from the bite of an insect; and in Pl. *Chrm.* 155d, Socrates speaks of being inflamed by a glimpse inside the clothing of the beautiful Charmides. Socrates’ flirtations remained entirely chaste. Their upshot was however that, in a reversal of the ordinary pattern, the younger men fell in love with him. As Alcibiades puts it in Pl. *Smp.* 222b, ‘I am not the only one that Socrates has done this to. He’s done it to Charmides the son of Glaucon, to Euthydemus the son of Diocles, and to lots and lots of others. He tricks them by pretending to be their lover [ἔραστής], but ends up instead as the one that they love [παίδικα].’ The lots and lots of others included Apollodorus, who ‘had an enormous yearning for him [ἐπιθυμητής μὲν ὦν ἰσχυρῶς αὐτοῦ]’ (Xen. 28.21), and Antisthenes, Cebes and Simmias, whom he claims he has attracted to himself by his counterparts of the wiles whereby the courtesan Theodote attracts her clientele of admirers (Xen. *Mem.* 3.11.17 and *Smp.* 8.3–5).

Socrates was not rich. He had the modest means of those who could afford to equip themselves as infantry, but not as cavalry (Pl. *Smp.* 221a). The modesty of his means was affirmed by followers (e.g. Pl. 23b7–c2, Xen. *Mem.* 1.6.2), and exaggerated by contemporary comedies, according to which he is a ‘prating beggar’ (Eup. fr. 386 *PCG*), and sometimes has to go hungry (Ar. *Clouds* 175, Amipsias fr. 9.4 *PCG*). Contemporary comedy

² Some of Socrates’ less prepossessing traits (the voices, the mannerisms, the trances, the disdain for cleanliness) resemble closely the symptoms of schizophrenia described in Liddle (2009).

also claimed that Socrates charged fees for instruction in dishonest rhetoric (Ar. *Clouds* 98–9 and 111–18). This hardly fits with what contemporary comedy claimed about his poverty, and it is roundly contradicted by the consensus among his admirers that he took no fees at all (Pl. 19d7–e2, Xen. *Mem.* 1.6.3, and 1.6.11, Aristippus fr. 3 SSR).³

In spite of his unprepossessing traits and the modesty of his means, Socrates was able to associate with the richest and best-connected figures in Athens: men like Callias, host of grand gatherings at which Socrates was an honoured guest (Xen. *Smp.*, Pl. *Prt.*); and men like Critias and Alcibiades, who disgraced themselves by the damage they did to Athenian democracy and by their support for Athens' enemy Sparta (e.g. Xen. *Mem.* 1.2.12–47).

Among Socrates' oldest and closest associates was Chaerephon (e.g. Ar. *Clouds* 142–64). Chaerephon consulted the Delphic oracle about Socrates, and was told that there was no one 'wiser' (Pl. 20e7–21a6), or that there was no one 'more free-spirited, just and temperate' (Xen. 14.5–7). Followers of Socrates often represent Socrates himself as arguing that there is in fact only a single virtue, for each virtue is in fact nothing other than knowledge of good and bad (e.g. Xen. *Mem.* 3.9.4–5, Pl. *Meno* 87b–89b). In consequence, these two versions of the oracle's response would have seemed more similar to Socrates and his followers than they might to us. The most celebrated responses of the Delphic oracle were versified riddles, composed by priests from the ecstatic utterances of the priestess in the innermost sanctum of the temple: good examples are the responses to the Athenians in Hdt. 7.140–3. The response to Chaerephon was different. It was delivered 'in the presence of many people' (Xen. 14.6), and was comparatively straightforward: what 'No one is wiser than Socrates' means is plain enough; the only puzzle is how something of that meaning could be true. We may therefore conjecture that Chaerephon consulted the oracle by a less celebrated and apparently cheaper procedure: when he put his question 'Is anyone wiser than Socrates?', he got his answer by the random drawing of a lot (toasted beans were used, one colour for yes, another for no: see Xen. 14.6n.). Delphi's response to Chaerephon would consequently be no evidence that Socrates at the time had much of a reputation for wisdom, let alone a reputation that had already reached Delphi.

What prompted Chaerephon to ask the Delphic oracle whether there was anyone wiser than Socrates? Presumably, Socrates had already shown, at least to Chaerephon's satisfaction, some quite impressive wisdom. But

³ Blank (1985) explores the many sensitivities about payment for teaching.

what would that wisdom have been? Our sources make two distinct yet compatible claims about how Socrates spent the start of his intellectual career. The first claim is put in the mouth of Nicias in Pl. *La.* 187e–188a: ever since Socrates reached adulthood, anyone who ever spends time with him in conversation finds himself ‘incessantly harried with argument, until he is trapped into giving an account of himself, both his present way of life and the life he has lived in the past; and once he is trapped, Socrates will not let him go until he has subjected all this to a really thorough scrutiny’. In other words, Socrates was in earliest adulthood asking, no doubt at first only among his intimates, the sort of question that in Pl. 21b6–22e1 and 29d4–30a5 he says he came to ask of all and sundry after learning of the oracle’s response. The second claim is put in the mouth of Socrates himself in Pl. *Phd.* 96a: ‘In youth, I had an awesome yearning for the sort of wisdom that they call “the investigation of nature” [περὶ φύσεως ἱστορίαν]. I thought it would be superb to know the causes of each thing, why each thing comes to be, why it perishes and why it exists.’ This yearning led Socrates to investigate, among other things, ‘events both celestial and terrestrial [τὰ περὶ τὸν οὐρανὸν τε καὶ τὴν γῆν πάθη]’ (Pl. *Phd.* 96c). In other words, Socrates was in earliest adulthood thinking about the sort of question that in Pl. 19b4–d5 he denies ever discussing within the earshot of any of the jurors. Perhaps Socrates did discuss ‘the investigation of nature’ privately with Chaerephon when they were both young. Even so, such discussions would not have prompted Chaerephon to wonder at Socrates’ wisdom. For many competed in ‘the investigation of nature’ (the title περὶ φύσεως was given to works by at least seventeen authors of his day and before), and anyone who managed to distinguish himself from such competition would have left more substantial evidence of his distinction than we have for that of Socrates. We may conclude that what prompted Chaerephon to wonder at Socrates’ wisdom was an early version of the moral scrutiny to which he later subjected so many of his fellow Athenians.

Even if the wisdom of Socrates had ever included anything so elevated as ‘the investigation of nature’, it was in other respects rather humdrum. He would often lower the tone of a conversation by comparing statesmen to humble craftsmen such as fullers and cobblers and smiths (e.g. Pl. *Grg.* 491a–b, Xen. *Mem.* 1.2.37). He had ‘no grasp of any science [οὐδὲν μᾶθημα ἐπιστάμενος] which is such that by teaching it to people I can bring them benefit’ (Aeschin. fr. 53.26–7 *SSR*). He had the merely human wisdom of obeying the Delphic maxim γνῶθι σαυτόν (‘know yourself’), that is, of appreciating how little he knew about matters of greater importance (Pl. 23a1–b4, Arist. *On Philosophy* fr. 1; see also Pl. 17a2n. on ἑαυτοῦ ἐπελαθόμεν). This intellectual humility struck some as εἰρωνεία, that is, as a pose to conceal the fact that he knew a lot more than he let on (Pl. *Rep.* 337a, *Smp.*

216e and 218d).⁴ Unlike Solon and other wise men of Greek tradition, Socrates did not use his wisdom to rule his city. In fact, he took as small a part in public affairs as a citizen of democratic Athens decently could. He sometimes claimed nevertheless that in his influence on his fellow citizens he was more profoundly ‘engaged in politics [πράττειν τὰ πολιτικά]’ than any of his contemporaries (Pl. *Grg.* 521d and Xen. *Mem.* 1.6.15).

Socrates never put any of his wisdom in writing. To give written form to his oral philosophising, his admirers invented a new kind of literature: ‘Socratic discourses’ or Σωκρατικοὶ λόγοι (to use the useful coinage of Arist. *Rh.* 1417a21, *Poetics* 1447b11) describing conversations in which he took part. His teaching, such as it was, gave a prominent place to interrogating the learner (e.g. in Ar. *Clouds* 385 he is made to say ‘It is from your own self that I will instruct you’), in such a way as to bring out the learner’s own ideas and usually to reveal them as confused (there are such interrogations in Xen. 19.33–21.15, Pl. 24c7–28a5). When he revealed a learner’s confusion he would often describe the learner’s state as ἀπορία or ‘lack of resources’ (e.g. Pl. 23d4, Ar. *Clouds* 743). His way of bringing out the learner’s own ideas invited comparisons with midwifery and childbirth (Ar. *Clouds* 137–9, Pl. *Tht.* 149a–152e).⁵ He liked to give ‘inductive’ arguments (ἐπακτικοὶ λόγοι), arguments which, by appealing to case after case of a generalisation, induce someone to accept the generalisation itself (e.g. Pl. 27b5–d1, Xen. 20.4–9, Aeschin. fr. 70 *SSR*, Arist. *Met.* 1078b27–8, and Ar. *Clouds* 1085–1104, where a personification of Socrates’ bad reasoning argues, case by case, that, in every department of life, the key to success is to let yourself be bugged). He liked asking people to define things (Arist. *Met.* 1078b27–9, Xen. *Mem.* 1.1.16, and 4.6.1); in particular, he liked asking people to define things significant politically and ethically, such as democracy (Xen. *Mem.* 4.2.36–7) and piety (Pl. *Euthphr.* 5c–d).⁶ For his philosophical efforts were devoted ‘to ethics, not to nature at large’ (Arist. *Met.* 987b1–2), and ‘he was the first to bring philosophy down from heaven; he settled it in cities, and even brought it into the home, and required it to ask about life, ethics, and good and bad’ (Cic. *Tusculans* 5.4.10).

2 ACCUSATIONS, APOLOGIES, AND HISTORY

Much of the controversy about Socrates was conducted in pamphlets that purported to present what was said at his trial. Thus there were *Accusations* of Socrates: the earliest *Accusation* of which we hear was by Polycrates

⁴ See Lane (2006). ⁵ On these comparisons, see Burnyeat (1977).

⁶ Wolfsdorf (2003) looks in detail at how Plato presents Socrates’ search for definitions.

(Isoc. 11.4–5, D.L. 2.39; Polycrates may well be the unnamed ‘Accuser’ whose accusations are reported and refuted in Xen. *Mem.* 1.2). So many others joined Polycrates that in the late second century AD someone exclaimed that ‘not even at this date has Socrates ceased to be subject to legal denunciation and scrutiny; on the contrary, he faces greater bitterness from successive generations, from denouncers more bitter than Anytus and Meletus [two of the prosecutors at his original trial] and from jurors more bitter than the Athenians of his time’ (Maximus of Tyre 3.1b). There were also many *Defences* of Socrates, or *Apologies*. Those by Plato and Xenophon are among the earliest. There also survives one from the fourth century AD, by Libanius. In addition, we hear tell of seven lost *Apologies*.⁷ If we may trust the claims of Proclus in *Timaeum* 1.65.22–29 Diehl about the ludicrous ineptitude with which most of these works attempted to represent the character of Socrates, we need not mourn their loss.

How close were these *Accusations* and *Apologies* to what was actually said at Socrates’ trial? The surviving works of the Attic orators contain many speeches written for delivery in the Athenian courts, and subsequently circulated in writing to advertise the prowess of their writer. Unless the speaker fluffed his lines, or the writer subsequently polished them, such speeches are no doubt pretty much what was said in court. Our *Apologies* are not like these speeches. They were written after the trial; and they so parade Socrates’ failure to win his case that no writer of speeches would circulate them to advertise his prowess. Our *Apologies* invite comparison rather with another genre of oratory, a genre that included the lost *Apology* of Busiris by Polycrates (Isoc. 11.4; this was the Polycrates who wrote the *Accusation* of Socrates), and three works still extant: the *Ajax* and the *Odysseus* by Antisthenes (fr. 53–4 *SSR*), and the *Apology* of Palamedes by Gorgias (DK 82 B 11a). In this genre, the orator writes a speech for a trial in the heroic past: Busiris, the Pharaoh of Egypt, defends himself when on trial for his cruelties; Ajax and Odysseus argue their rival claims to the weapons that had belonged to the now dead Achilles; Palamedes defends himself against charges of treason brought by Odysseus. In our *Apologies*, Socrates compares himself with Ajax (Pl. 41b3) and Palamedes (Pl. 41b3 and Xen. 26.6): all three die because the courts misjudge their cases. Particularly pronounced are the similarities between Gorgias’ *Apology* of Palamedes and Plato’s *Apology* of Socrates: in high sophistic style, each talks in jingles about knowledge and ignorance (compare Palamedes in 5 and 24 with Socrates in Pl. 21d4–6; cf. *Ajax* 1, 4, 8); each insistently contrasts

⁷ Such *Apologies* were ascribed to Crito (Suda s.v. Κρίτων Ἀθηναῖος), Lysias (fr. 271, 272 Carey), Theodectes (Arist. *Rh.* 1399a8–10 and *Lexicon rhetoricum Cantabrigiense* 78.15 Houtsma), Demetrius of Phalerum (fr. 91–3 Wehrli), Zeno of Sidon (Suda s.v. Ζήνων Μουσαίου), Theon of Antioch (Suda s.v. Θεών Ἀντιοχείας), and Plutarch (Lamprias, *Index to the works of Plutarch* 189).

‘deeds’ with ‘words’ (compare Palamedes in 34 with Socrates in Pl. 32a4, 32d1 and 40b5; cf. *Ajax* 1, 7–8); each invokes the public awareness of how modestly he lives (compare Palamedes in 15 with Socrates in Pl. 31c2–3; cf. *Ajax* 5, Xen. 17.24–5); each attempts a prolonged discussion with his accuser (compare Palamedes in 22–7, a passage that starts ‘I want to have a conversation [διαλεχθῆναι] with my accuser’, with Socrates in Pl. 24c7–28a2; cf. Xen. 19.33–21.15); each accuses his accuser of self-contradiction (compare Palamedes in 25 with Socrates in Pl. 27a4–6); and each insists that his own dignity and the dignity of his judges require him to rely on telling the truth, not on sentimental appeals from his loved ones (compare Palamedes in 33 with Socrates in Pl. 34b6–35b7). In the light of such similarities, can we suppose that the *Apologies* of Socrates have any greater aspiration towards historical truth than the *Apology* of Palamedes?

The *Accusation* by Polycrates was so far from even pretending to record what was actually said that it contained a glaring anachronism (D.L. 2.39). No anachronism glared in the *Apologies* by Plato and Xenophon; at any rate, no anachronism from those works figures on the long list of such material in Ath. 5.216c–218e. But glaring anachronism is only one form of inaccuracy among many. That there is at least one gross inaccuracy somewhere in the *Apologies* by Plato and Xenophon is demonstrated by the fact that Plato has Socrates propose that he be fined (38b7–9), whereas Xenophon has him refuse to propose any penalty at all (23.22–5). Moreover, neither writer has a record of accuracy so unblemished elsewhere as to make us trust him here. For example, Xenophon was not in Athens between the battle he describes in *An.* 1.8 and the death of Socrates, yet he claims to have been present at a conversation in which Socrates spoke of that battle.⁸ And again, the remarks that Plato has his characters elsewhere make about the trial of Socrates do not always exactly match what is said in his *Apology*: contrast Crito’s remarks to Socrates in Pl. *Cri.* 45b ‘you shouldn’t, as you were saying in the lawcourt, find it a problem that you wouldn’t know what to do with yourself if you left Athens’ and Pl. *Cri.* 52c ‘your choice was, as you said, for death over exile’ with their counterpart in Pl. 37c1–e2; and contrast Socrates’ remark in Pl. *Phd.* 115d ‘Give Crito the opposite guarantee to the one that he offered the jurors: his was that I would stay; let yours be . . .’ with the guarantee by Crito mentioned in Pl. 38b8–9.

In fact, not even the most scrupulous could have produced an *Accusation* or an *Apology* that was accurate word for word: the shorthand that enables verbatim transcription of an entire speech was not in use until long after the trial of Socrates (not until 63 BC according to Plu. *Cato* 23.3–4). In the awareness that complete accuracy was unattainable,

⁸ See *Oec.* 1.1 and 4.18–19.

Thucydides adopted the following policy for reporting speeches in his *History*: ‘It was difficult for me to remember the precise details [τὴν ἀκριβείαν αὐτῆν] of what was said in my own hearing; it was difficult also for my various informants. So I have had the speakers say the things that according to my own ideas [ὡς δ’ ἂν ἐδόκουν ἐμοί] were particularly appropriate [δέοντα] in the light of their circumstances, while keeping as close as possible to the general import of what was actually said’ (1.22.1). To see how large a licence Thucydides here allows himself, compare the policy for reporting actions that he announces in 1.22.2: ‘These I have thought fit to write down, not in reliance on information from any random bystander, nor even in accordance with my own ideas [οὐδ’ ὡς ἐμοί ἐδόκει], but only after the most detailed scrutiny possible in each case [ὅσον δυνατὸν ἀκριβείαι περὶ ἐκάστου ἐπεξελθών], with regard both to events that I witnessed myself, and to events that I learnt of from others.’ People at the time did not envisage reporting speeches with any less licence than that claimed by Thucydides; proof of this is the fact that, soon after announcing his policy for reporting speeches, Thucydides feels able, without any sense of incongruity, to boast that his own writing is free of the fabulous elements that other historians include to titillate their readers (1.22.4).⁹ We cannot expect any *Accusation* or *Apology* of Socrates to have aimed at a more than Thucydidean accuracy.

3 ATHENIAN LEGAL PROCEDURES

Athenian legal procedures, in so far as they are relevant to the case of Socrates, may be summarised as follows.¹⁰

In democratic Athens, citizens generally were able to prosecute those whom they alleged to be wrongdoers. Indeed, Athens had no counterpart of Procurators Fiscal, District Attorneys or the Crown Prosecution Service, no officials whose duty it was to prosecute on behalf of the community at large. In consequence, Socrates was prosecuted by a private citizen, acting on his own initiative. This prosecutor – κατήγορος – could have brought the prosecution all by himself. But he was also able to invite one or more other private citizens to assist him as συγκατηγοροί. Thus Meletus had the assistance of Anytus and Lycon.

The first step of the prosecution was to arrange for the production of a γραφή, or writ. The production of the writ was the responsibility of either Meletus alone (as suggested by the singular ἐγράψατο in Pl. 19b2), or of the prosecutors collectively (as suggested by the plural ἐγράψαντο in

⁹ Zagorin (2005) 30–5 gives a gentle introduction to the large controversies prompted by these remarks of Thucydides.

¹⁰ There is a full account of all these matters in Todd (1993).

Xen. 24.32). An alternative procedure would have been a δίκη (Pl. *Euthphr.* 2a), which seems to have been the procedure favoured for the pursuit of private wrongs. In arranging for a γραφή, the prosecution was using the procedure that seems to have been favoured for the pursuit of those wrongs that impinged on the citizen body at large (hence Meletus' claim in Pl. 24b5 to be φιλόπολις). The writ included an ἔγκλημα (e.g. Pl. 24c2; hence Pl. 27e5 ἔγκαλοῖς), or statement of the charges against Socrates. In a version supposedly quoted verbatim from that in the Athenian archives, this ran 'Socrates is guilty of not acknowledging the gods that the city acknowledges, but introducing other novel supernatural beings instead [ἀδικεῖ Σωκράτης, οὓς μὲν ἡ πόλις νομίζει θεοὺς οὐ νομίζων, ἕτερα δὲ καινὰ δαιμόνια εἰσηγούμενος]; and he is guilty also of corrupting the young men [ἀδικεῖ δὲ καὶ τοὺς νέους διαφθείρων]' (D.L. 2.40; these charges are paraphrased in Pl. 24b8–c1, Xen. *Mem.* 1.1.1). Since the law fixed no standard penalty for these offences, Meletus' writ also specified the penalty that he proposed: 'Penalty: death [τίμημα θάνατος].' The formula 'ἀδικεῖ . . . τίμημα . . .' was standard in such writs, as shown by the parody of them in Ar. *Wasps* 894–7.

To contest the case, rather than leave it 'desolate' (ἐρήμη, as in Pl. 18c7, was the technical term for a case allowed to go by default), Socrates produced a writ of his own, declaring that the charges against him were false (Dem. 45.46 quotes such a document). Each of the two rival writs could be called an ἀντιγραφὴ (cf. Pl. 27c7). The prosecutor swore that his charges were true, and the defendant swore that they were false (hence Pl. 19b4 and 24b7 ἀντωμοσίαν, and Pl. 27c7 διωμώσω). Perhaps this was at the preliminary hearing that took place before an official called the ἄρχων βασιλεύς (Pl. *Euthphr.* 2a and *Tht.* 210d). At this hearing, the ἄρχων βασιλεύς fixed a date for the trial proper.

Some time around this preliminary hearing, but before the trial proper, is the dramatic date of the conversation described in Xen. 2.9–9.15. It was at the trial proper that Socrates supposedly gave the speeches that occupy the whole of Plato's *Apology* and 10.16–26.12 of Xenophon's.

At the trial, litigants presented their case in person. Athenians had no such institution as the Bar or the Faculty of Advocates, no professionals whom they could hire to speak for them in court. Indeed, any such profession would have been contrary to Athenian law (Dem. 46.26). A litigant could however invite friends to share with him the task of presenting his case, as Socrates seems to have done (Xen. 22.16–17 τῶν συναγορευόντων φίλων αὐτῷ). The nearest that Athenians came to professional advocates were λογογράφοι or λογοποιοί: a litigant could hire such people to compose a speech, but he would still have to deliver the speech himself, and would not even acknowledge that another had composed it. A charming but improbable anecdote had the λογογράφος Lysias present Socrates

with the script for a speech to deliver in his own defence: ‘Lovely speech,’ said Socrates, ‘but not my style; no more than lovely clothes or lovely shoes’ (D.L. 2.41; all the evidence about this speech is assembled as Lys. fr. 271–6 Carey). Whatever the relation between our *Apologies* and the words that Socrates spoke at his trial, those words were, so far as we know, his own.

The trial had to be completed within a single day. This may not seem a long time in which to settle such an issue, as Socrates himself is made to remark (Pl. 37a7; there are more such remarks in Pl. *Grg.* 455a and *Tht.* 172e–173a). Nevertheless, trials like that of Socrates were the longest allowed under Athenian law. The court that tried him would have decided no other case that day, whereas a court would decide four cases in a day if those cases were of the kind called ‘private’ (Arist. *Ath.* 67.1).

Each side was allowed the same length of time in which to present its case. The length of time was regulated by a water-clock. If a side had several speakers, they had to share this time between them (hence the end of Dinarchus 1 ‘I hand the water on to my fellow prosecutors’). When a witness made a statement, or a document was read out, this did not count against the time allowed (hence e.g. Lys. 23.14 ‘I am going to provide you with witnesses to the truth of these assertions. Please stop the water.’). The constraints of time allowed a gambit: a speaker could indicate his confidence by offering a rival speaker some of his own time in which to contradict him. Socrates himself uses the gambit at Pl. 34a4–6.

The case was tried by a panel of δικασταί. We may translate δικασταί as ‘jurors’; but if so, we need to remember that in many ways a panel of Athenian δικασταί was more like a bench of judges than a jury. For instance, no one was set over them to rule on matters of law; it was they who exercised any discretion allowed the court on how to punish someone whom they had convicted; and if they objected to the conduct of a litigant, they would express this out loud (hence e.g. Pl. 21a4–5 ‘do not heckle, gentlemen’, Xen. 14.1 ‘on hearing this, the jurors started heckling’). The jury normally contained five hundred jurors, and sometimes even more (see Pl. 36a5–6n.). The jurors were chosen by an elaborate randomising procedure designed to ensure that they were a representative cross-section of the citizens of Athens (Arist. *Ath.* 63–5). Other citizens might be present at the trial, but they could be present only as an audience (hence Pl. 25a1 ἀκροασταί). The jury could be addressed as ὦ ἄνδρες Ἀθηναῖοι (e.g. Pl. 17a1), the phrase proper when addressing the δῆμος gathered in the Assembly (e.g. Xen. *Mem.* 4.2.4–5, Dem. 1.1); and second person plurals addressed to the jury could refer to the δῆμος (e.g. Xen. 20.7 ‘you elect generals’, Pl. 21a2 ‘he came back with you from exile’, and Aeschin. 1.173, speaking to another jury fifty-four years after the death of Socrates: ‘you put the sophist Socrates to death’). In short, for the purposes of the trial, the jury was, in effect, the Athenian δῆμος. In Athenian democracy, the Athenian