

8-1-2014

# Pollution, Purification, and the Scapegoat: Religion and Violence in the Trial of Socrates

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POLLUTION, PURIFICATION, AND THE SCAPEGOAT: RELIGION AND VIOLENCE IN  
THE TRIAL OF SOCRATES

by

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B.A. University of West Georgia, 2010

M.A. Southern Illinois University, 2014

A Thesis

Submitted in Partial Fulfillment of the Requirements for the  
Masters of Arts in Philosophy

Department of Philosophy

in the Graduate School

Southern Illinois University Carbondale

August 2014

THESIS APPROVAL

. POLLUTION, PURIFICATION, AND THE SCAPEGOAT: RELIGION AND VIOLENCE  
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A Thesis Submitted in Partial  
Fulfillment of the Requirements  
for the Degree of  
Master of Arts  
in the field of Philosophy

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May 8, 2014

## AN ABSTRACT OF THE THESIS OF

Philip M Brewer, for the Master of Arts degree in Philosophy, presented on May, 8, at Southern Illinois University Carbondale.

TITLE: Pollution, Purification, and the Scapegoat: Religion and Violence in the Trial of Socrates

MAJOR PROFESSOR: Dr. Thomas Alexander

Despite its wide and unfortunate neglect (if it is even noticed at all), the fact that the date of Socrates' trial coincided with Athens's annual sacrificial festival (Thargelia) is of paramount significance for an interpretation not only of Plato's *Apology* but also of the historical trial itself. The argument presented here is that Socrates' prosecution and execution was, quite so, an expression of a sacrificial logic, which holds, mistakenly, that a single individual can be held responsible for a social crisis. The sacrificial narrative, then—a narrative implicitly put into play by that ominous trial date—would have located Socrates as the single source of the concomitant Athenian crises at play in the devastating aftermath of the Peloponnesian war. In fact, Plato's *Apology* can be, and perhaps must be, read as an elaboration on this sacrificial narrative. Yet, Plato turns the narrative on its head; by casting Socrates not only as the archetypal, "polluted" *pharmakos* but also as the willing scapegoat, Plato has Socrates enact a deadly confrontation between Socratic and Athenian values. Socrates' trial, this thesis argues, was not simply about crime and punishment; this was a trial about communal crisis and communal redemption. We must consider, then, not simply the trial of Socrates, but the *sacrifice of Socrates*.

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## INTRODUCTION

**Socrates:** Nor must one, when wronged, inflict wrong in return....Well then, if one is done harm, is it right, as the majority say it is, to do harm in return, or is it not?

**Crito:** It is never right.

**Socrates:** One should never do wrong in return, nor do any man harm, no matter what he may have done to you. And Crito, see that you do not agree to this contrary to your own belief. For I know that only a few people hold this view or will hold it, and there is no common ground between those who hold this view and those who do not, but they inevitably despise one another's other's views.<sup>1</sup>

There is doubtless a tendency, though not always and not everywhere, to whitewash Socrates of any suspicion or wrongdoing, to accept the conventional explanation that a guiltless philosopher, simply exhorting his fellows to care about virtue, fell prey to a passionate, unthinking mob. That the case *against* Socrates never came down to us in any sort of clear or unified form (and moreover that we are so often not unsettled by this absence) should promote no small degree of skepticism for the conventional belief in the “unjust verdict.” Or to put it another way: the two defense speeches that have come down to us were authored by acknowledged students of Socrates, whose tasks were to defend the philosopher posthumously. So, we might just say that these followers were so brilliantly in their task that the fact that Socrates was tried at all, much less condemned, still confounds us; why Socrates was executed (much less whether it was unjust) is still not utterly clear—still a puzzle two and a half millennia after the fact. This is one way of reckoning matters, at least. There are several. And as delightful as it would be to put my finger on some fresh enigmas and hidden elements that might bring a new sense and meaning to Socrates’ death, it is hardly possible to contribute anything really original to the diverse (and often oppositional) literature that already exists, literature that

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<sup>1</sup> Plato, *Crito*, in *Plato: Complete Works*, ed. John M. Cooper (Indianapolis: Hackett Publishing, 1997), 49b–c. All quotes from Platonic dialogues in this essay are taken from *Plato: Complete Works*.

has tried over and over to illuminate the central significance of the trial and execution.

Nonetheless, to the discovery of such fresh enigmas and hidden elements the present essay is devoted—even if the attempt is in vain.

Some scholars declare Socrates was an enemy of the people; some proclaim he was defender of the state. There are those that say he was the head of an anti-democratic, conspiratorial club, while others say he was, in fact, the only true democrat. For every voice agreeing that Socrates was guilty as charged, there is another convinced that he was simply the object of protracted, political revenge.<sup>2</sup> —What we know for certain is that Socrates, the historical Socrates, was brought to trial, convicted by a jury, and sentenced to death by hemlock, having to wait for execution about a month because of the Delia religious observance. About these facts there is no disagreement.

To this list I would add another fact that almost anyone who has read the literature would find difficult to contest: that whoever this man was and whatever his character might have been generally speaking—while on trial, this person was nothing short of an ass. Though, “haughty” and “arrogant” are the more often used adjectives for what Xenophon called the philosopher’s *megalegoria* (or “pompous talk”). Socrates’ defense speech, including the *megalegoria* animating it, will be treated exhaustively much further below; but what I can submit for now is that Socrates’ “trial-arrogance” might have been more radical in its implications (and motivation) than usually imagined. That is to say: the active role Socrates played in securing his execution

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<sup>2</sup> John D. Montgomery ed., *The State Versus Socrates: A Case Study in Civic Freedom* (Boston: Beacon Press, 1954) is an older but excellent collection of diverse interpretations about Socrates’ character and his loyalty (or lack thereof) to the polis and the democracy. To name just a few: Alban D. Winspear and Thomas Silverberg’s “The Enemy of the Poor: The Issue of Class Conflict” makes a case for not only Socrates’ guilt but also his being a conspiring, anti-democrat whose attempt to make men better was a subversive ploy to “make the better men” rulers of the state. Karl Popper’s “The Advocate of Democratic Criticism” sets out to demonstrate that even though Socrates was critical of Athenian democracy, his critique was of the kind that is the very life of democracy, as opposed to totalitarian critiques of democracy. Werner Jaeger’s “The Defender of the State” argues just that—namely, that far from attacking the polis, Socrates’ mission was one of supreme devotion not simply to the state, in some abstract sense, but to the particular Athenian citizens.

via this “pompous talk,” rather than securing, say, his banishment or even acquittal, has been understated if not dismissed in much of the literature.<sup>3</sup> An important question that we will consider in this thesis is—what would it mean for Socrates, the defendant, to have invited his own conviction, to have co-opted the prosecution?

However, it is not so much an issue of what has been understated about the trial, as it is an issue of what has been almost outright neglected that I take the most interest in here. And only a few scholars of the “trial-literature” have touched upon the fact that happening alongside the Delia observance was the beginning of a two-day, religious festival called Thargelia (which began with Delia on the 6<sup>th</sup> of Thargelion, approximately our May 24<sup>th</sup>). Now, a brief glance at what goes on at the heart of the festival reveals what is perhaps the most fascinating dimension of Socrates’ conviction: namely, that around the same time as the trial—and we’re talking most likely one day before—two very lowly, and possibly criminal, Athenians were named that year’s sacrificial victims, and with city-wide pomp and circumstance they were taken beyond the boundaries of Attica where they were banished, effectively healing the polis by carrying with them into exile that year’s accumulated “pollution.”

Yes, Socrates’ trial and his being found guilty for impiety took place during purification celebrations; that is, Socrates’ trial took place—during a scapegoating festival.<sup>4</sup> What should we make of such blatant symbolism? Or might have the date of things been mere coincidence?<sup>5</sup> Fate? That the formal indictment before the King-archon yielded such a significant trial-date

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<sup>3</sup> Certainly because it is not Xenophon’s but Plato’s *Apology* that is the more widely read of the two defenses. This will become clearer below when the theme of Socrates’ *megalegoria* is considered.

<sup>4</sup> Even if ritual scapegoating had gone out of practice by the time of Socrates’ trial, which is possible but unlikely—see Robert Parker, *Miasma* (New York: Oxford University Press, 1983), 24—the symbolism would be no less acute, perhaps more so, since the absence of the actual scapegoat would heighten Socrates’ symbolic status, so long as his trial took place on or near the 6<sup>th</sup>, and we have every reason to believe that it did.

<sup>5</sup> Even more unbelievable is that there are reports that Socrates was also born on the 6<sup>th</sup> of Thargelion. While this probably shouldn’t be accepted as fact, it certainly seems to be an indication that posterity attributed to Socrates this date of birth in light of the proximity between his trial and the scapegoating festival, likely in an attempt to give a sort of mythical status to the dead philosopher.

must owe to something intentional on the accusers' part, no? Was this Athens's violent answer, and "last laugh," to that intolerable Socratic irony?

At any rate, this was the end of Socrates. And whatever conclusions we draw from the suspicious timing of events (whether or not the date was chosen intentionally) one thing is for certain—no Athenian would have been ignorant of the symbolic overtones hanging about the trial. That is, the trial-date would have produced an implicit connection between the meaning of Socrates' fate and the fate of the ritual *pharmakos*, Athens's name for its scapegoat (*pharmakoi* for plural). Indeed, not only had Athens just witnessed these scapegoats meet their end, but much of the city likely participated in the ritual exiling. Once chosen, the polluted *pharmakoi* represented a threat to the divine link that connected the city with the gods. And, in turn, this link was protected only by the death or exile of those same scapegoats. Given that its date was probably on the 7<sup>th</sup>, we can imagine that the whole trial affair had this absurd, theatrical air about it: the looming narrative that Socrates' impiety had cast him as a polluted figure whose death or exile was necessary, just as the exile of the *pharmakos* was necessary, for purifying the city and reintroducing harmony with the gods, perhaps even relieving the city of tribulations and divine scorn. Whether or not everyday Athenians had begun to view Socrates as a polluted *pharmakos*, the symbolism of the trial-date had begged the question of not merely Socratic impiety, but "Socratic *pollution*." And I propose that Plato further develops this narrative in his trial dialogues, which, as we will see, are replete with all of the appropriate *pharmakos* and Thargelia symbolism.

Now, Athens's dealings with *miasma*, which is often translated "pollution," were not at all restricted to grand, religious festivals like Thargelia. On the contrary, pollution concern was something of an institution in Athens. It regulated many of the diverse customs and laws and

even attitudes that held sway in Athenian life—public and private, religious, legal, and political. More significant here, though, is that wherever we find in Athens a commitment to the logic of pollution purification, we also tend to find, though it's usually obscured, an Athenian commitment to a code of retributive violence (as we will argue below, with the help of certain authorities on the matter).<sup>6</sup> This relationship—between religion and violence, the relation between purification and retribution—is central to the context and background of Plato's *Euthyphro* and *Apology*, and therefore this relationship, to some degree, casts its shadow on the content of those dialogues. Thus, my second proposal: the consideration of this relationship between purification and retribution and how this was wound up in the trial of Socrates is, frankly, indispensable for illuminating the full nature of the indictment, the defense speech, Socrates' *megalegoria*, and his refusal to flee Athens. (At least, this holds true in terms of how these things have been passed down to us by Plato, and to a lesser extent Xenophon).

What *miasma* is and how exactly *miasma* concerns are related to the code of violence-reciprocity in Athens will require some tedious unpacking in the early on, but taking our time with all this will be a great help come later, when we encounter the obscure symbolism that crops up in the *Euthyphro* and the *Apology*. Now, admittedly, the relationship between “religion and violence”—even “purification and retribution”—is far too large a topic to manage here. However, matters are considerably narrowed insofar as we will examine only two, unique traditions that reflect this relationship. And it is noteworthy that these are two traditions that, moreover, make an appearance in the trial dialogues themselves: namely, Athens's tradition of homicide prosecution (which forms the backdrop of the *Euthyphro*) and Athens's traditional, scapegoating festival (which forms the backdrop of the *Apology*).

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<sup>6</sup> Namely, Robert Parker and René Girard.

Now, post-war Athens at the end of the 5<sup>th</sup> century was inundated with disaster and social crisis, not simply in terms of military defeat, but also civil strife. The Athenian empire was in shambles; the city itself had undergone starvation and widespread impoverishment. The tyrannical rule of the Thirty was a blood-filled nightmare, until civil war restored the democracy. And as it often goes in times of crisis, Athens was marked by a period of religious desperation and fervency. This was a time when the patron-gods had neglected, as it were, the prosperity and protection of the Athenian polis. And because of his suspicious and well-known reputation in political and religious matters the historical Socrates might have very well appeared to much of post-war Athens as an outright *miasma* source, who moreover might have been widely viewed as the single cause of the apparent rupture between Athenians and their gods. I think the trial-date is good evidence that at least some powerful Athenians wanted to promote this narrative. Now, to put matters as plainly as I can—my thesis intends to demonstrate that Plato elaborates on this narrative by *further* aligning Socrates with the *pharmakos*-scapegoat, but doing so in a way that turns the narrative on its head. This is because Plato will cast Socrates as a willing *pharmakos* who seeks, in his own way, a “purification” of the polis; but this is not a purification of literal *miasma* but, rather, a purification of those pernicious Athenian traditions and values whose effects, far from being limited to ignorance, have also nourished an Athenian ethic of vindictiveness and a program of reciprocal and communal violence. To put it another way—I propose that the symbolism at play in the “trial dialogues,” particularly the *Apology*, casts Socrates as the consenting scapegoat in a trial that becomes the site of mutual, and oppositional, purifications, one designed by philosophy, the other by the polis.

A few more words on the project at hand. The present paper does not set out to deliver a verdict on whether or not the historical Socrates was guilty as charged,<sup>7</sup> but I tend to side with the literature in favor of Socrates' being guilty (however, this does not exclude his trial and execution from being either stupid or wicked—or both). So, instead of offering any comprehensive argument that, in the end, makes a case for the historical Socrates' guilt or innocence, his loyalty or disloyalty to Athens, I am more interested here in trying to dwell with the peripheral context and obscure symbolism that tends to be played down, if not neglected, in Plato's trial dialogues—and then trying to demonstrate how this symbolism supports the general thesis articulated above, the “willing scapegoat” reading of the trial.

Now, the way forward begins with an analysis of the *Euthyphro*. In the first chapter, I give an account of the dialogue's dramatic setting and then transition to a discussion of *miasma*, relying heavily on the work of Robert Parker. I try to develop the ideas that are involved in Athens's concern over pollution and what this concern meant in terms of Athens's relation to the gods and the Athenian conception of piety, noting along the way important differences between Socratic gods / Socratic values and Athenian gods / Athenian values. In turning to Euthyphro's “pious” prosecution of his father, I address the relation between pollution-purification and retributive violence, drawing some conclusions about the ruinous effects of Athenian traditions and Socrates' response to this ruin. I end chapter 1 with the argument that both Socrates and Euthyphro, in quite divergent ways, are enacting purifications of Athenian contagions.

In chapter 2, we forestall a discussion of the *Apology* to dwell at length with the background that is at play in the dialogue, namely the scapegoating festival. Beginning with an account of the *pharmakos* and its role in Thargelia, I then turn to René Girard's analysis of sacrificial violence and retributive violence. Girard will help elucidate the possible role that

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<sup>7</sup> And this is by and large the approach of much of the trial literature.

human sacrifice plays in non-“primitive” cultures—that is, in cultures like Athens that have a developing judicial system and a centralized, State authority. By chapter’s end, we’ll have a clear view of the relationships between *miasma*, Thargelia, the *pharmakos*, and the Athenian commitment to violence-reciprocity. I close chapter 2 by noting the extent of the multifaceted, social crisis that had marred post-war Athens at the end of the 5<sup>th</sup> century and by showing how the Athenian response to this crisis would have likely involved various degrees of “non-ritual” scapegoating. Though, it will not deal directly with the dialogues themselves, the significance of the second chapter is that it illuminates important elements in the social and historical context of Socrates’ prosecution—namely, this second chapter explores the implications of Socrates’ being brought to trial on the heels of massive social crisis and during a scapegoating festival.

In the final chapter, we turn to the *Apology*. After laying out the formal indictment itself, we explore the legitimacy of the charge of impiety, particularly regarding Socrates’ *daimon*. We then turn to the charge that Socrates corrupted the youth. Here we treat the extent to which Socrates was involved in the intellectual and sophistical assault on *nomos* and make clear the implications of Socrates’ relationship with the leaders of the Thirty Tyrants. Following a recreated speech that demonstrates how Socrates both emerged and was likely pegged as a pollution source, and a cause of crisis, we then turn to his defense to carefully note (a) the significance of his *megalegoria* in determining the jury’s conviction and (b) the specific *pharmakos*-symbolism that inscribes his speech. We end this chapter, and the thesis, by drawing the conclusion that Plato’s Socrates willingly adopts the archetypal role of the *pharmakos* in order to ensure a deadly confrontation between Athenian values and Socratic values.

A final note: in bringing to light the more subtle politico-religious elements that form the backdrop of these dialogues, I try to let Socrates emerge in a way that is not incompatible with

much of the diverse literature devoted to the trial, literature that at times both lauds the philosopher and defames him. Here, then, is a story about the most curious, virtuous, and decadent of all Classical Athenians. And fittingly, this is a story that begins not with Socrates and his defense—but with the Athenian named Euthyphro.

# CHAPTER 1

## PLATO'S EUTHYPHRO:

### EUTHYPHRO AND *MIASMA*

Euthyphro's business at the Agora on the day he happens upon Socrates was to prosecute his father on the charge of murder. The victim was one of Euthyphro's farmhands who, in a bout of drunken anger, slew one of the household slaves. While awaiting word from a religious authority on how to handle the crime, Euthyphro's father had the killer cast into a ditch, where he was left unattended, hands and feet bound. However, before a messenger could arrive with religious instructions, the servant died from some combination of exposure and starvation. Euthyphro explains all this to Socrates outside the stoa of the King-archon, one of the Athenian magistrates who will soon examine whether the accusation of impiety against Socrates warrants a trial. Upon hearing the tale, Socrates is no less than bewildered at Euthyphro's decision to bring a suit of homicide against his own father; this is understandable in light of the expectation of filial reverence in Athens. Adding to Socrates' perplexity is Euthyphro's admission that he is moving forward with the charges on behalf of a non-relative victim.<sup>8</sup> Socrates' response:

My dear sir! Your own father? ...What is the Charge?

Good Heavens! Certainly, Euthyphro, most men would not know how they could do this and be right. It is not the part of anyone to do this, but of one who is far advanced in wisdom.

Is then the man your father killed one of your own relatives? Or is that obvious, for you would not prosecute your own father for the murder of a stranger.<sup>9</sup>

And Euthyphro's justification:

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<sup>8</sup> In fact, Draco's law (still in effect) regarding homicides suggests that *only* the family of the victim could bring forth a prosecution against their relative's murderer.

<sup>9</sup> Plato, *Euthyphro*, 4a–b.

It is ridiculous, Socrates, for you to think that it makes any difference whether the victim is a stranger or a relative. One should only watch whether the killer acted justly or not; if he acted justly, let him go, but if not, one should prosecute, if, that is to say, the killer shares your hearth and table. The pollution [*miasma*] is the same if you knowingly keep company with such a man and do not cleanse yourself and him by bringing him to justice.<sup>10</sup>

While the rest of Euthyphro's family (and certainly the rest of the "common-sense" Athenians) recognize the obvious impiety of the prosecution, Euthyphro quickly justifies his actions. And his explanation, given above, is two-fold. First, the prosecution is warranted because justice demands impartiality—whether or not the victim is Euthyphro's kin is a fact simply irrelevant to the case; only look toward whether the killer acted rightly, he says. At the same time, a prosecution is necessary in order to cleanse the *miasma* that not only attended the homicide, but contaminated all who share the killer's "hearth and table."

These two justifications don't seem to share equal footing, however. That is to say, the ultimate justification for a prosecution comes down to pollution. Note the important conditional clause: relation to the victim be damned, one ought to prosecute an unjust killer, "if, that is to say, the killer shares your hearth and table." —The pollution is the last word on the matter; it is because of *miasma* contamination that Euthyphro is at the Agora today.<sup>11</sup> Now, we have plenty to say about Euthyphro's dual (if not problematic) commitment to both impartial justice and *miasma* concern a little later on, but for now let's examine the role pollution plays in the setting of the dialogue.

In considering this dimension, we would do well to recall that Plato hints at the rarity of these two Athenians conversing at all. For instance, Euthyphro notes first how unusual it is for Socrates to give up his usual haunts at the Lyceum to be here at the magistrate (2a), and Socrates

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<sup>10</sup> Ibid., 4c.

<sup>11</sup> This, at least, seems to be Grube's position, whose translation is being used.

in turn comments how Euthyphro makes himself particularly unavailable to people and especially unwilling to discuss wisdom (3d). It is precisely because of Euthyphro's decision to prosecute his own father (for the sake of pollution-purification) that Socrates, ironically, suggests that Euthyphro must be most wise and then requests to become his pupil on matters of piety and impiety. Euthyphro takes the bait without another thought, and here the dialogue proper begins.

I don't propose to provide an extensive summary of the dialogue, since it is very well known, but we can list a few salient points. Socrates, in usual form, presses Euthyphro for the proper definition (*eidos*) of piety, where his interlocutor gropes his way around five untenable accounts—beginning and ending, more or less, with “piety = the god-loved.” During the elenchus, Socrates schools Euthyphro on the difference between genius and species (11e–12d), presents the riddle now known as divine command theory (10d–11b), and—at the most promising point of the inquiry—falls just short of arriving with Euthyphro at a coherent account of what “assisting the gods” might look like (12e–15b). In aporetic fashion, the dialogue ends when Euthyphro abandons the discussion to attend to other matters (perhaps also abandoning his own prosecution), and the nature of piety is left unarticulated.

Back to the dialogue's setting and the question of *miasma*. —Quite likely, it is not only Euthyphro who is at court of the King-archon because of pollution concerns (he intends to purify his father). Indeed, it appears that this may very well be why Socrates is here, also. And on this, we would do well to take into consideration that, as we learn from Plato's *Apology* (23d), Socrates was deemed *miarototos* (“most polluted”) by his earlier accusers. And “the many” are likely to still hold this view, including and especially Meletus whose sworn indictment had brought Socrates to the archon today. If impiety names the formal charge against Socrates, then “spreading-pollution” is its informal expression. This specific analogy between the defendants,

Socrates and Euthyphro's father—namely, that they are both sources of contamination that require purification—is all the more apparent when we take into account that their two accusers, Euthyphro and Meletus, are also strikingly analogous. The two of them, these over-eager young prosecutors, have a knack for letting theological convictions which they are incapable of defending coerce them into taking draconian, legal action against the two much older members of the community. The dialogue has this way of paring accuser with accuser, on the one hand, and defendant with defendant, on the other. What I'm trying to express here is that Socrates and Euthyphro's father are brought into alignment in the dialogue, and an important implication of this alignment might be that Socrates, the *miarototos*, has come before the king-archon to hear the indictment because he also is, in part, suspected of being a pollution source, whose purification demands a trial for impiety. In fact, I take as central to the meaning of *Euthyphro* the link that is established between Socrates and Euthyphro's father and the link that is established between Meletus and Euthyphro. This is all to argue the following: the *Euthyphro* introduces us to the trial of Socrates—a trial about impiety—by suggesting that this was a trial about pollution.

Not only is the question of “pollution sources” significant in terms of noting the similarities and differences between Socrates, Euthyphro, Euthyphro's father and Meletus. But there is another significance, and it was hinted at above—namely, that both Socrates and Euthyphro, these bizarre Athenians who only rarely find each other's company, have nonetheless been brought together at the magistrate because of this network of concern over *miasma*. Euthyphro is at court for a homicide prosecution; Socrates is here for a deposition regarding religious offenses. The setting of the trial reveals something ubiquitous about *miasma*; it links religious concerns with legal and political concerns. So, along with whatever else the dialogue is

asking us to consider—the nature of piety, the role of division in definition theory, or the independence of moral standards from divine will—the *Euthyphro* is also asking us to consider this rather living preoccupation with pollution that seems to account for certain religious and political concerns in the city. So—let us consider it.

Foremost, most Athenians would have understood *miasma* to be a contagious, religious defilement that might be knowingly or unknowingly incurred either through impious conduct or coming into contact with someone who has already incurred it. This is why Euthyphro believes that he is not only purifying his father, by bringing him to court, but also purifying himself and his family (so long as they all shared hearth and table). Pollution *spreads* from citizen to citizen. Parker notes the lustral stoops marking the entrances to the Agora were likely used to wash off the bit of pollution one might have picked up during the day. Coming into contact with the invisible contagion rendered one ritually impure, such that he or she couldn't enter religious temples or participate in certain religious activities. And the remedy for *miasma*, great or small, is *katharmos* (purification)—the most grandiose *katharmos* is of course the ritualized scapegoating of the *pharmakos* during Thargelia (or during other suitable times), at which point the whole city undergoes cleansing.

The logic of *katharmos* has to do with protecting the gods from coming into contact with pollution, lest the gods be offended and then become inclined to withhold their vast gifts from either the individual or, infinitely more serious, from the polis. This is why purification remedies often involved—depending on how great the pollution—temporary exile from religious temples or even permanent exile from the city in the case of the scapegoat, thus safeguarding the gods from possible *miasma* contact. On this point, let's consider for a moment Euthyphro's attempt to

define piety as “the part of justice that is concerned with the care (*therapeia*) of the gods.”<sup>12</sup>

After continued pressing from Socrates, Euthyphro clarifies this “care” as a type of service to the gods that is in line with knowing and “doing what is pleasing to the gods at prayers and sacrifice.”<sup>13</sup> Ultimately, Euthyphro seems to have in mind notion that insofar as piety is the proper knowledge of how to either make gifts to the gods or beg from them in prayer and sacrifice (14d), then piety is little more than a sort of bartering skill between gods and mortals (14e). That is to say, Euthyphron piety consists of this apotropaic economy between gods and mortals where the endgame becomes a matter of knowing how to entreat divine rewards and how to avoid divine scorn. More often than not, this is the general conception (even if it’s a tad reductionist) of Athenian religion as such. And to enter a temple knowingly or knowingly participate in public sacrifice while defiled, while “polluted,” wouldn’t simply undermine the success of the “divine barter,” but it would also be tantamount to a sort of religious violence; in the most severe case, it would be seen as an attempt to bring harm to the gods, to pollute the gods.

Now, in terms of “polluting-conduct,” it’s altogether clear why explicitly impious conduct—like temple robbery or other religious sacrilege (think Alcibiades’ desecration of the herms)—would insult the gods and invite their neglect, if not their scorn. But in terms of natural sources of pollution, matters aren’t nearly as straightforward. Childbirth, sex, and death (especially the latter) were all considered *miasmatic* events. Despite their not being explicitly impious, they were each seen as potentially hostile, or offensive, to the divinities and thereby required set procedures for purification.<sup>14</sup> Corpses were a continued source of pollution until buried (ensuring the observance of burial rites). In fact, immediate kin, regardless of distance

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<sup>12</sup> Plato, *Euthyphro*, 12e.

<sup>13</sup> *Ibid.*, 14b.

<sup>14</sup> See Parker, *Miasma*, Chapter 2.

from the corpse, were contaminated at the moment of death. Those stained by virtue of coming into contact with child bearing were also excluded for a period of time from worship and public sacrifice. Even intercourse and masturbation, being *miasmatic*, were inscribed with their own rules of water purification and temporary exclusion from religious sectors.<sup>15</sup>

Parker helps clarify the role these natural contaminants played in Athenian religion. The rites surrounding the purification of “natural-pollutants” erected the barrier between mortals and gods:

By banning birth, death, and also sexuality from sacred places, the Greeks emphasize the gulf that separates the nature of god and man. On one level, of course, the gods have much in common with man in these respects: they underwent birth, and engage in sexual activity. But whereas for men birth and death are part of a cycle that ends in the grave, the gods enjoy the benefits of the flesh but not its ills...Excluded from temple because of the birth of a son, a Greek is reminded, perhaps, that his son has been born to replace himself, and die in his turn, while the gods persist in splendid immortality.<sup>16</sup>

These natural pollutions often emanated from physical centers, most notably blood—but also, afterbirth, semen, the stench of a corpse. However, far from being an erroneous theory of contagion, *miasma* was a trans-physical justification for a complex network of rites and social customs that constantly, even banally, reinscribed the superior nature of the god into the psyche of the Athenian. There is something more to notice here, namely that *miasma* concerns (and Athenian religious ideas more broadly) were not so much about the production of theological dogma, but more about the production of attitudes of reverence, in other words—piety. As Euthyphro says of piety, it’s the “kind of care that slaves take of their masters.”<sup>17</sup> The gods are revered because they are the Deathless Ones, yes; but in this divine reverence, it is never

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<sup>15</sup> Ibid., Chapter 3. Though the exclusion from temples unless purified lasted only a short time and was unnecessary, apparently, if occurring at night before sleep.

<sup>16</sup> Ibid., 66. Parker, however, notes that this account may be taken roughly to represent the situation in Athens in the late 5<sup>th</sup> century. In the Homeric world attitudes were often very different.

<sup>17</sup> Plato, *Euthyphro*, 13d.

forgotten that the god, just like the slave's master, is both the bringer of rewards and the bringer of punishment.

The "pious" Athenian always takes care not to insult or bring harm to the gods—knowing, as Euthyphro says, what the god loves and what the god hates (9e). But Athens's concern is not about maintaining piety for the sake of the god, but for the sake of the bartering game between the two. *Miasma* is only indirectly harmful to those mortals who have been contaminated. In exposing the gods to harm, to insult, pollution jeopardizes the economy between gods and mortals which establishes the very link between the polis and the divine. Parker notes that there is little indication that, aside from certain religious prohibitions, being polluted was at all directly harmful to the Athenian:

While in most tribal societies it is the protection of fellow humans against these natural pollutions that is the main concern, in Greece real danger seems only to occur if the gods are exposed to them. Thus it is on the altars, not among the houses, that Sophocles' birds of prey drop the scraps of Polyneices' corpse, and, as we have seen, it is hard to identify any certain consequence of contact with natural pollutions apart from exclusion from temples.<sup>18</sup>

So, though redundant at this point it should be clear to us that in addition to promoting proper reverential attitudes (piety) and in addition to inscribing proper knowledge of ritual sacrifice, *miasma* concern programmed into the Athenian psyche another specific *nomos*: namely, that it was up to the Athenians—that it was their responsibility—not to insult or harm the Deathless Ones. In effect, great care must be taken that gods remain free from contact with the repulsive site of death and childbirth, and its associated *miasma*. The most prominent instance of this sort of divine safeguarding was the purification of Delos during the sixth year of the Peloponnesian War, at which time all corpses were excavated and purged from the island; subsequently, Delos was a site of prohibition from birth and death, so as to prevent further

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<sup>18</sup> Parker, *Miasma*, 65–66.

contamination to Apollo. Temples and other public buildings were often washed and cleansed before festivals, and even the bathing of statues was not rare in Greek cult.<sup>19</sup> After all, the gods may be inclined to withhold gifts from the city—not to mention, neglect its protection—if divine purity goes unrespected. Or, if matters are such, the gods are not unwilling to reciprocate harm back onto the Athenians.

Now, very early on it was noted that wherever we find in Athens the logic of *miasma* purification, we also often find, though usually obscured, an Athenian commitment to the reciprocity of violence. What seems to be the case is that even something as innocuous as *miasmatic* intercourse functioned, perhaps, as a discrete reminder of the gods' capacity to be offended—for instance, if sexual activity is not restricted to private areas—and to return this offense with violent retribution. For small scale offenses, the reprisal translates into “ill-luck” for an individual Athenian; on the greater scale of the community—we’re talking reprisals on the order of famine, plague, military defeat, or worse.

Turning back to the *Euthyphro*, the eponymous character's intended prosecution (i.e., purification) of his father is something of a reprisal, a retribution for his father's perceived homicide. Yet, there are two sorts of violent reprisals in the *Euthyphro*; only the first is made explicit. Euthyphro's prosecution of his father, a sort of filial violence, is the screen upon which the shadow of another violent reprisal is cast—namely, the possibility that the gods are liable to intervene, in some harmful way, into the lives of Euthyphro and his family, were Euthyphro not to move forward with a prosecution, a *katharmos*. Here we see an important difference between Euthyphro and his interlocutor. Early on in the dialogue, Socrates rejects the view that the gods were vindictive or otherwise easily offended and prone to retributions. Socrates and Euthyphro on the topic:

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<sup>19</sup> Ibid., 27.

**Euthyphro:** These people themselves [those who accused Euthyphro of an impious prosecution] believe that Zeus is the best and most just of the gods, yet they agree that he bounded his father because he unjustly swallowed his sons, and that he in turn castrated his father for similar reasons.

**Socrates** Indeed, Euthyphro, this is the reason why I am a defendant in the case, because I find it hard to accept things like that being said about the gods, and it is likely to be the reason why I shall be told I do wrong...Tell me, by the god of friendship, do you really believe these things to be true?

**Euthyphro:** Yes, Socrates...

**Socrates:** And do you believe that there really is war among the gods, and terrible enmities and battles, and other such things as are told by the poets, and other sacred stories...Are we to say these things are true, Euthyphro?

**Euthyphro:** Not only these, Socrates, but, as I was saying just now, I will, if you, wish, relate many other things about the gods which I know will amaze you.<sup>20</sup>

Now, Euthyphro is something of a zealous fanatic, and we'll touch upon why this is the case quite soon—but the reason is not because he believes the gods to be in discord, and not because he believes them to be vindictive, and *certainly not* because he believes in pollution. It is Socrates, rather, who is in the minority on this topic. And he knows it. Socrates understands that it is in part because he rejects the traditional role of the gods and because he rejects the traditional myths about them that he has been indicted. As Socrates sees matters, if there were gods—and all the evidence points to the fact Socrates believed there were—then they were, above all else, rational and *moral* beings, subjected to the same ethical standards to which humans are subjected. Vlastos, in his article “Socratic Piety” goes so far as to suggest that Socrates is indeed guilty of the charge of impiety because of his alternative view on the divinities. Let's turn to Vlastos's persuasive remark on this question:

[For Socrates] since god can only be good, never evil, god can only cause good, and can never be the cause of evil to anyone, man or god. To heirs of the Hebraic and Christian traditions this will hardly seem a bold conclusion. For those bred on Greek beliefs about the gods it would be shattering. It would obliterate that

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<sup>20</sup> Plato, *Euthyphro*, 6a–c.

whole range of divine activity which torments and destroys the innocent no less than the guilty...What would be left of [Hera] and of other Olympians if they were required to observe the stringent norms of Socratic virtue that require every moral agent, human or divine, to act only to cause good to others, never evil, regardless of provocation?

And more:

Required to meet these austere standards, the city's gods would have become unrecognizable. Their ethical transformation would be tantamount to the destruction of the old gods, the creation of new ones—which is precisely what Socrates takes to be the sum and substance of the accusation at his trial.<sup>21</sup>

This is, in fact, how Socrates relates to Euthyphro the charges brought against him:

[Meletus] says that I am the maker of gods, and on the ground that I create new gods while not believing in the old gods, he has indicted me for their sake, as he puts it.<sup>22</sup>

Indeed—“for *their* sake.” Meletus, like Euthyphro, is acting on behalf of the divine when he brings a suit against Socrates. He might likely see himself as safeguarding the divine from the pollution that Socrates can't help but transmit into the Agora with every word he utters against the traditions. Meletus' prosecution against Socrates is, as Euthyphro might say of piety, a service to the gods, a showing of “proper care for the gods.”

As maintained by the traditions, Athenian gods would not only meddle in human affairs (often violently) but they were also, like the city-states of which they were patrons, in constant turmoil with one another, feuding among themselves and often going to war. They were exemplars of vindictiveness. Thus, the central Socratic principle that it is never right to return a wrong for a wrong is not only in conflict with the traditional conception of the divine, but it directly contradicts the whole function of Greek religion itself. So, perhaps Vlastos doesn't actually go far enough in proposing the extent of the Socratic “obliteration.” That is, while it

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<sup>21</sup> Gregory Vlastos, “Socratic Purity,” in *Plato's Euthyphro, Apology, and Crito: Critical Essays*, ed. Rachana Kamtekar. (Lanham: Rowman & Litterfield, 2005), 54.

<sup>22</sup> Plato, *Euthyphro*, 3b.

does obliterate the traditional conception of the divinities, Socrates' principle against retributive violence implicitly undermines the very logic governing the *miasma* institution that was so productive in the formation of Athenian life and custom. Citywide application of the Socratic virtues would bring a direct halt to the system of bartering and trading between god and mortals that established the most basic link between the polis and its divine protectors; this was a link predicated on an economy of reciprocity, predicated on the threat of divine scorn and the promise of divine protection and even divine rewards.

More on these different gods—being in such flat-out contradiction with traditional divinities, not only were Socratic gods (for whom even lying would be illegitimate)<sup>23</sup> incapable of violent reprisals, but they were bound to the same ethical standards and virtues to which mortals were subjected; little would have been more foreign to a Greek. And if the gods were so bound, as Socrates believes, then it's clear that the "god-loved" named not the essence of piety (as though the gods' love of something was the condition for that thing's being-pious), but rather the "god-loved" named an accident or affect of the pious (11b). For Socrates, the gods were not the sources of ethical standards, just like their love was not the condition for the possibility of the loved-thing being "pious."

Socrates does all he can in argument to show Euthyphro that the god-loved cannot be the same as the pious since the cause of something's being god-loved is that the god loved it, meaning that the cause of the god's loving it must be found in something *other* than the fact that it is being loved by the god; that is, it must be found in something peculiar to the nature of the thing loved. Now, during their discussion of all this Euthyphro supplies his "yeses" and his "nos" when only a "yes" or "no" is called for by the Socratic elenchus, but Euthyphro nonetheless never really catches on fully that a thing's being god-loved is not the cause of the

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<sup>23</sup> Plato, *Apology*, 22b.

god's loving it, but is rather *caused by* the god's loving it. When it comes to reflecting on the pious, Euthyphro is very much a fish out of water in the definition game; he is, like the culture more generally, not interested in definitions of piety, but in stories of piety. Remember here that rather than wanting to engage in dialectic, Euthyphro is much more eager to share with Socrates the many fascinating myths about the gods, stories that he loves and stories that he knows will amaze Socrates (6b–c). This is also why Euthyphro is perfectly content in his own ostensible definition of piety as “what I’m doing right now,”<sup>24</sup> namely prosecuting injustice—even if his definition dictated that he go against his own father. And if asked to justify his interpretation of piety, Euthyphro must only call on the revered myths, like Zeus’ justified “murder” of his father Kronos, and in turn the latter’s justified castration of his Ouranos.

It is on these stories that Euthyphro was raised, and they have certainly taken a greater hold on him than most Athenians. This zeal is part of what makes Euthyphro such a fascinating character, but it is also what makes him such a dangerous Athenian. His reverence for all that is sacred in Athenian religion—the rites, the poetry, the stories, the *battles*—have instilled in Euthyphro not so much an ethos, but a sort of programmatic, mythical obsession with justice, which he understands as little more than impartial prosecution and reprisal.

Now, we read the dialogue and we get a sense of Euthyphro’s extremism, but certainly not in the way a contemporary of Plato would have sensed matters. For instance, it is likely that the moment Plato has Euthyphro utter “μίᾱσμα,” his readers know that they were being confronted with something of a theatrical fanatic. For it so happens that although “pollution concern” was indeed a very ubiquitous, everyday thing, the noun “*miasma*” had a rather high, stylistic level. This is a linguistic subtlety that is of course lost on us, and Parker notes that we

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<sup>24</sup> Plato, *Euthyphro*, 5d–e.

can attribute the widespread usage of μῑασμα among tragedians and its complete neglect among Thucydides and Herodotus to the noun’s poetic status; in the author’s words:

Whole literary genres can be found from which [*“miasma”*] is virtually absent. The verb *miainō* is more often found in relation to pollution than the noun *miasma*, and the common way of saying “polluted” is simply “not clean” (*katharos*). Often the language used in relevant contexts is that of *hosiā*, what is religiously safe, rather than specifically that of purity.<sup>25</sup>

I propose that when Plato (neither poet nor logograph<sup>26</sup>) has the myth-enthusiast Euthyphro evoke the very stilted and highly poetic “μῑασμα,” instead of other suitable expressions, he is not only illuminating Euthyphro’s tragic (pun intended) zeal, but also foreshadowing the upcoming theatrics of the trial—recall that fascinating trial date—which is being piloted, after all, by Euthyphro’s doppelganger, Meletus: the “vexed poet,” who has all the makings of a dangerous political actor.<sup>27</sup>

Now, we’ve certainly devoted a great deal of time and a number of paragraphs to the subtleties and context surrounding *miasma*. This isn’t digression, and it needs to be clear that the reason for laboring so much over the everyday minutia surrounding *miasma*—demonstrating here and there how very prominent pollution concern was in Athenian day-to-day religious customs—has to do with our needing to overcome the highly problematic, yet conventional interpretation of the character Euthyphro. There is this tendency to read the dialogue as an encounter between a progressive philosopher and a neoconservative fanatic who is more than eager to plunge Athens backward into the dark ages by putting back into practice radical, myth-based principles. Euthyphro is theatrical, yes—but not retrograde. The evocation of *miasma* is highly stylized, not highly anachronistic; in fact, the theme of pollution concern “played a larger

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<sup>25</sup> Parker, *Miasma*, 12.

<sup>26</sup> Plato arguably wears both hats in writing the *Apology*, however. “Logograph” was the label for an Athenian speech-writer, particularly trial-speeches, where *miasma* concern was a common theme.

<sup>27</sup> In the *Apology*, Socrates suggests that Meletus accuses Socrates because he is “vexed on behalf of the poets.” Plato, *Apology*, 23e.

part that any other religious motif in the austere Thucydides,<sup>28</sup> and the *miasma*-doctrine provided the standard for prosecution speeches in the Athenian courts.<sup>29</sup>

Now, Euthyphro is certainly something of a fanatic, but not to the extent which we usually imagine, and not for the exact reasons *why* we usually imagine. The question of Euthyphro's religious eccentricity has less to do with his simple evocation of pollution, and more to do with his apparent stance on pollutions that accompany homicide.

### **VIOLENT REPRISALS AND THE CASE OF ATHENIAN HOMICIDE**

At the end of the dialogue, Euthyphro's only justification for a notoriously impious prosecution—impious, according to Athenian standards—was his belief that not moving forward with the case would leave him and his family polluted. Here, justice, for Euthyphro, is synonymous with *katharmos*. In order to distance himself from the charge that his intended purification amounts to filial impiety, he reminds Socrates of Zeus's brutality against Kronos and Kronos' castration of his father Ouranos. I think Euthyphro's allusion here draws, in the first instance, a very haunting relationship between *katharmos* and violence, more than "violence"—rather, brutal vindication.

The whole history of pre-Draconian, Athenian life was ruled by blood feuds—the ancient mandate that blood be paid for with blood, involving the ever-present threat that the community might be consumed by a nasty cycle of violence and doom. Until Draco's constitution in the 7<sup>th</sup> century, where the courts received a monopoly on revenge, vengeance was justice and all violent

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<sup>28</sup>Parker, *Miasma*, 1.

<sup>29</sup> See Edward Carawan, *Rhetoric and the Law of Draco* (New York: Oxford University Press, 1998). Carawan, in part two of chapter five, details Antiphon's *Tetralogies* as well as various forensic records. Yet, the prosecution speeches in the *Tetralogies* do not employ the noun form μίασμα but rather: μιάσματος, μιάινω, or μαινομένης.

reprisals were legitimate. With the advent of *miasma* and *katharmos*, it looks as though the violent impulse for reprisal becomes obscured as the religious impulse for purification, which is “necessary” lest the divinities be exposed to danger. And, now, the presence and amount of *miasma* accompanying some initial act of violence could determine whether or not a subsequent reprisal could be determined pure or impure—that is, whether an act of reprisal could be determined as an instance of legal “purification” (if there was pollution to be dealt with) or illegal vengeance (if there was not).

Insofar as the religious binaries and rites provided the distinction between pure and impure violence, religion in Athens might be defined, in part, as the program of purification that concealed an Athenian ethic of vindictiveness—an ethic that was still, paradoxically, rather apparent in the Greek mythos. Nonetheless, insofar as it provided the system of controls that regulated violence, then Attic religion, along with Draco’s laws, held at bay the threat of unending, cyclical violence. All this notwithstanding—and despite the existence of legally appointed executioners and juries and archons—prosecutions were still familial functions, haunted by the spectre of familial blood feuds; this is because it was always and exclusively the responsibility of the victim’s kin to proceed with a legal homicide suit. There were, of course, no state appointed prosecutors in the Athenian polis.

Now, unless it occurred in a holy temple, a little harmless *miasmatic* sex between consenting Athenians wasn’t going to discharge any extreme pollution offensive to the gods. And only the most “puritan” of Athenian priests would bring any religious seriousness to such things (though we might have reason to suspect that the fictional Euthyphro fell into this category). The most serious source of pollution, however—and the most reported in the existing literature—was the pollution that accompanied homicides. And the Athenian response to murder

not only reveals the culture's continued implicit commitment to a program of familial vindications, but also demonstrates how deeply this ethic was logged in the psyche of the polis.

Whether or not pollution accompanied some initial homicide in Athens wouldn't have depended so much on the relative brutality of the murder (or even how much blood was shed), or the killer's motive, or even whether or not the murder was intentional. Rather, the amount of pollution, and whether it was at all discharged, depended almost exclusively on the extent to which the victim belonged within what we might call an Athenian economy of violence—something like a legal system of “retribution insurance.” That is to say, if the victim of a homicide were a slave or an otherwise unprotected dependent with no legitimate kin, then there was simply no cultural currency available to be exchanged for a prosecution, even if there did happen to be an interested member in the community that might be willing to take up the prosecution in the courts. Euthyphro's currency in the trial against his father was nothing short of the *progressive* conviction that reprisal rights (no less “rites”) be offered to some victim's non-kin. Such a conviction would almost certainly have failed to be recognized as legitimate “currency” by a jury (even if it wasn't Euthyphro's own father that he was prosecuting).

So, unless murder victims had these sources of retaliation, i.e., kin who were able (and obligated<sup>30</sup>) to vindicate the slain relative, then the *miasma* accompanying the homicide would not pollute anyone beyond the killer; and even here, the defilement would not likely reach the point of any legal or religious seriousness, though the killer would likely avoid public sacrifices and religious sites out of felt pressure from the community. This norm was certainly a vestige of the rule of familial vendettas which held sway in the not so distant past. On this we should

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<sup>30</sup> Victims of deceased relatives were often themselves polluted immediately following the death of kin, regardless of their distance from the corpse. This would ensure, in the case of a murder, that justice would be exacted onto the killer, for the family would not be purified from the pollution until legal vengeance was taken. When the relative died of natural causes, however, the family would still be polluted at the moment of death, and the prescribed purifications—lustral rituals and temporary exile from the agora—ensured the activity of mourning. See Parker, *Miasma*, Chapter 2 for further discussion on the pollution accompanying death.

consider the case of filicide: because the slain child was a dependent, there is no required exile for the murderous father, and the murder itself—including the slaying and the bloodshed—would have amounted to a limited *miasmatic* event. I take the case of the filicide to be a chilling, and somewhat disturbing, indication of the extent to which the patriarchal “vendetta rules” that belonged to the familial, blood feuds had determined the norms belonging to Classical Athens’s religious and legal traditions.

More generally, this vendetta ethic had determined the notion of justice in Classical Athens. Take into account the Greek concept of ἔνοχος, “guilt,” literally “to be bound,” “subjected to,” or “held by.” Here, being *enochos* implied that one man, even if he had done nothing morally blameworthy, was “bound to” or subjected to another man’s reprisal against him. In this sense, the guilty party was *enochos* primarily because he was “threatened by reciprocal violence,” not because he was “morally culpable.” Again considering the case of Greek filicide—because, under the norms associated with familial-vendettas, the child’s mother or siblings (or other members of the community) did not have legitimate access to a prosecution, the murderous father was neither bound to lawful retaliations nor in need of a *katharmos*. In all of this, the father certainly would have felt the sting of public shame, but nevertheless—his being morally culpable for slaying his child did not necessarily imply that was “guilty” of murder or stained by pollution. That the norms belonging to procedures of justice and purification had been determined, primarily, by a codified ethic of revenge and not by a concern over the rightness or wrongness of one’s actions becomes even more apparent when we consider the case of an accidental death wherein, as Parker notes, the principle defense would not have consisted

in a demonstration that the “[the culprit] was morally innocent, but that he was not causally responsible.”<sup>31</sup>

And a further testament to the primacy of an Athenian impulse for violent reprisal is found in the cases of deaths involving animals and inanimate objects. Some wild beast, or perhaps a wayward javelin, that took a person’s life would receive a ritual trial in the Prytaneum and, if found to be causally responsible, was expelled beyond the boundaries of Attica, thus purifying the city from the *miasmatic* animal or object. Now, obviously, this sort of justice had nothing to do with moral innocence or blameworthiness. And the conclusion Parker draws from all these examples regarding homicides (including animal attacks and weapons) is that it was often the case regarding a *miasmatic* event that “pollution-purification concerns” expressed the meaning of a religious institution—like the institutional exiling of murderers and animals and weapons—while at the same time obscuring the deeper, non-religious impulse: namely, a primary desire for violent reprisals. Parker renders it as follows:

The basis of the institution [of exile] seems not to be fear of pollution but the urge to exact retribution, *and be seen to exact it*, for an injury that has been received. . . . The idea that the homicidal axe is polluted, or that the victim would be angry if his accidental killer were not expelled, is a secondary elaboration upon the primary desire for retribution.<sup>32</sup>

I ultimately agree with Parker’s interpretation—but there is something unconvincing about his formulation. He concludes that an urge to exact revenge motivates the Athenian justice system regarding homicidal axes and wild beasts, but how exactly is he—and us for that matter—arriving at this conclusion? Other studies on Greek custom suggest that it is, in fact, pollution that is of primary concern to the polis. That an animal or an inanimate object might be expelled from the city seems, contra Parker, to attest to this. Why—and how—does Parker

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<sup>31</sup> Parker. *Miasma*, 117.

<sup>32</sup> *Ibid.* 117–118.

acknowledge these highly ritualized customs but then proceed to push them aside and say (roughly phrased): “well, but really it must have been about retributive violence.” These “secondary elaborations”—what makes them so “secondary”? On the surface of things, we might be inclined to say that these animal/weapon exiles look like indications that it was in fact retribution that was the secondary elaboration upon a more basic, pollution-themed worry.

If we’re trying to account for the custom of filicide and involuntary murders, I believe it is altogether much easier to make the case that internalized (familial) forms of retributive violence—and not pollution concern—determined how the homicide was to be dealt with in the legal arena. But on the question of animals, and inanimate objects especially, it’s not apparent that pollution worries were not front and center in deciding whether or not to exile the bloody axe, for instance. Clearly, if we accept that pollution was felt as a threat so decidedly that even a murderer’s weapon faced exile, then I don’t see any coherent way in which pollution—if it were at times felt as such a real threat—could be relegated as a mere “secondary elaboration” for other *miasmatic* events. So, this is the claim we are to test. Was it primarily a desire for retribution or a desire for *katharmos* that determined procedures of justice in Athens, at least regarding some of these unusual types of miasmatic events in Athens?

It seems to me that unless the codified desire for retribution functioned as a basis for the elaborated pollution concerns, then there is something inexplicably arbitrary about the way that pollution accompanies some homicides but not others. If this were not the case, how might we explain the fact that only a limited pollution accompanied filicide? Just good old fashioned double standards? I don’t think this can be right. If the pollution-themed worry was itself the basis for a legitimate reprisal being called for, and if there were any internal consistency in this worry, then it shouldn’t matter the least whether or not the victim of a murder were a slave or a

father's property—blood has been shed. According to the logic of *miasma*, the sheer fragility of mortality and the vulgarity of its process inscribe the child's birth, the man's ejaculate, the blood spilt after the deathblow. Could the sensitivity of the Deathless Ones to all this be so fickle? Does *miasma* not ride on the back of a corpse, always? According to the evidence, it does not. The *miasma* simply doesn't show up in certain events where it seems like it should. So, unless pollution fears are grounded in a more fundamental *nomos*, grounded in a more fundamental, perhaps unwritten, internalized custom, then our account of *miasma*—of its enigmatic presence or absence—is brought to a crashing halt.

Euthyphro and his backward trial against his own father can be an appropriate test case for the present concern. For Parker, and others like Girard who are authorities on this relationship between religion and violence, it is not the presence of a *miasma* that guaranteed the right for a family to vindicate a slain relative, as Euthyphro sees it. On the contrary, the right to revenge—which would only be a “right” if the desire were in accord with the inherited laws of familial customs—guaranteed that the initial violence could be interpreted as *miasmatic*. Insofar as it was in accordance with inherited laws of familial loyalty, the right to revenge was only granted to the family of the victim. In turn, this would be a family that was, naturally, always headed by the patriarch and thus governed by filial reverence—a sort of power structure which often, if not always, freed the father from the threat of a reprisal that could potentially come from within his own family. A father could never be guilty in this sense; he could never be bound (*enochos*) to his own family's vendetta against him.

We can return to Parker for further confirmation of all this. In his remark on the case of the deathbed victim who forgives his killer, Parker notes: “In exempting from all legal sanctions, therefore, the killer who has been pardoned by his dying victim, the Athenians were not bidding

defiance to pollution, but acknowledging its source.”<sup>33</sup> This is to say, insofar as the victim’s pardon nullifies his family’s impulse for revenge, then the murder event itself would not have been interpreted as *miasmatic*. This is because, again, the retributive desire which grounds pollution worry had been placated. Agreeing that primacy belonged to the order of retribution and not to the order of purification brings a sort of integrity to an otherwise nonsensical, religious tradition; inverting the order of things, as Euthyphro does, renders this theme of (enigmatic) pollution discharge incoherent to its core.

Now, regarding Athens’s decision to exile objects, animals, etc.—what we find here is, likely, a highly ritualized yet obscured expression of revenge. The purification rites allow for the wild beast or the homicidal axe to function as a receptacle for those aggressive impulses playing upon the victimized conscience. The Athenian psyche, we might suggest, inherited the driving force behind the ancient law of blood feud, namely the strong if not sometimes blind desire simply to return violence after suffering violence, no matter how seemingly insignificant the object of one’s revenge. In this sense, the inanimate weapon or animal of exile functions as a “good conductor” for violent urges that need to be released onto some entity that was, in some manner or another, involved in an accidental death or some other victim-producing event. At bottom, the Greek desire for purification—for *katharmos*—is little more than a sort of hyper ritualized desire for what we tend to think of as catharsis (and the etymological connection is not insignificant). If revenge desires have been so thoroughly trained by ritual affect, then it’s not so impossible that even a weapon or animal could be subjected to legal and judicial punishment. After all, according to Parker and others, these sorts of exiles did in fact occur within “high Greece.” The expulsion of the homicidal axe is the religiously formed discharge of simple revenge impulse; but this was an impulse whose satisfaction, it would seem, required something

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<sup>33</sup> Ibid., 108.

more visceral than what the fetishized Greek mythos could offer: i.e., revenge stories about blood-thirsty gods and heroes, through whom the Athenian psyche might at times vicariously live.

Indeed, far from granting a sublimated expression, far from granting catharsis, it seems that Euthyphro's fascination and preoccupation with the divine exemplars of vindictiveness has perhaps—and I suggest this sort of tenuously—invigorated, nourished, and promoted his impulse for reprisals, even to the extent that he tends to transgresses the supreme custom of filial reverence in his pursuit of retribution (felt to him as “purification”). Fittingly, as Euthyphro's impulse for reprisal grows more prominent in the psyche, so grows his psyche's counter tendency to obscure that violent impulse as a desire for *miasma*-purification. Insofar as *miasma* concern often functions as this process of obscuring violent desires, then Euthyphro's fascination with vindication is at once both concealed and revealed in his pursuit of *katharmos*. The fact that he justifies his intended prosecution-purification by calling on the horrendous acts of violence committed by both Zeus and Kronos functions in the text as the unconscious “slip” and indicates that Euthyphro's wild emphasis on *miasma* is a bit more than he lets on—indeed, a bit more sadistic than it seems at first blush. His zeal for religion, for “amazing myths” is perhaps something more like a zeal for revenge. Euthyphro perhaps has a revenge-fetish.

In any case, it appears that the Athenian call to ritual “purification” brought about what was likely a *felt* danger of pollution in the Athenian psyche; but at bottom, these rites facilitated the controlled expression of an impulse more fundamental than purification, an impulse for reprisal that functioned on an order prescribed by ancient, familial revenge rights. Certainly, Euthyphro's prosecution can be seen as an inversion of the founding order between religion (purification) and violence (retribution). And while Euthyphro might justify his case by calling

on the sacred stories of the gods, we know from Euthyphro's own admission that he has grown accustomed to being laughed out of the assemblies whenever he attempts to speak of divine matters.<sup>34</sup> So, from the dialogue itself, it's clear that Euthyphro is butting heads with established traditional orders, and the rest of the community is aware of it. However, this sort of psychoanalytical reading of Euthyphro doesn't perhaps yield the best reading of the dialogue as a whole (not to mention the oddity of psychoanalyzing a fictional character). It tends, like the conventional interpretation of Euthyphro, to ignore the extent to which he, like Socrates, is something of a progressive.

The dialogue casts Euthyphro as a shadow of Socrates. Socrates and Euthyphro—much like Socrates and Euthyphro's father—are here brought into a certain alignment. Both of them are subjects of Athenian ridicule (consider Aristophanes' *Clouds*). Both of them have a unique one-to-one relation with the divine, consider Socrates' *daimon* and Euthyphro's powers of prophecy (and Xenophon attributes prophetic powers to Socrates' *daimon* as well<sup>35</sup>). Both, also, think themselves to be superior to most Athenians. Moreover both Xenophon and Socrates have a progressive commitment to impartial justice. On this last point let's revisit what Euthyphro has to say about the matter:

I say that the pious is to do what I am doing right now, to prosecute the wrongdoer, be it about murder or temple robbery or anything else, whether the wrongdoer is your father or your mother or anyone else.

And again:

It is ridiculous, Socrates, for you to think that it makes any difference whether the victim is a stranger or a relative. One should only watch whether the killer acted justly or not.

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<sup>34</sup> Plato, *Euthyphro*, 3c.

<sup>35</sup> Xenophon, "Socrates' Defense," in *Xenophon: Conversations of Socrates*, ed. and trans. Robin Waterfield (London: Penguin Books, 1990), 44.

Now compare this with what Socrates has to say in the *Apology*:

You are wrong, sir, if you think that a man who is any good at all should take into account the risk of life or death; he should look only to his actions, whether what he does is right or wrong, whether he is acting like a good or bad man.<sup>36</sup>

The similarity, not just in content, but in articulation is striking: Only look to whether one “acted justly or not,” only whether he is “acting like a good or bad man.” McPherran, who has quite a bit to say on Euthyphro’s progressivism and the tendency to overlook it, addresses these similarities as well:

By suggesting various affinities between Socrates and Euthyphro—in particular, by casting Euthyphro as a *non*-traditionalist, religious innovator, and freelancing prophet—Plato presents him as a dark Doppelgänger of Socrates, a lesson in what Socrates *is* and *is not*.<sup>37</sup>

In closing this chapter, I propose the following implication of the affinity between Euthyphro and Socrates: namely, that they are both, though in tremendously different ways, embarking on a purification of Athenian contagions. For Euthyphro, the contagion is the very literal *miasma*; for Socrates the contagion is certainly things like corruption and ignorance and evil (and we learn as much from what Socrates has to say about this in the *Apology*, *Republic* and elsewhere). But the contagion Plato’s Socrates is out to purify is also the retributive impulse and the ethic of vindication that is everywhere inscribed in the legal and politico-religious traditions—in short, inscribed in the culture—of Athens. And here again we are reminded of the central, though sometimes over-looked, significance of the Socratic principle: it is never right to trade violence for violence.

In fact, the *Euthyphro* itself functions as one, ostensible instance of Socratic purification, where the contagion is, more or less, the destructive Athenian myths that have infected

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<sup>36</sup> Plato, *Apology*, 28b.

<sup>37</sup> Mark L McPherran, “Justice and Pollution in the Euthyphro,” in *Plato’s Euthyphro, Apology, and Crito: Critical Essays* (Lanham: Rowman & Litterfield, 2005), 4.

Euthyphro as well as anyone else dealing in myths. What the dialogue demonstrates is the inability for a rational, impartial conception of justice to flourish within the ruinous effects of Athenian religion. In his encounter with Euthyphro—and certainly his philosophical existence more generally—Socrates exposes the impossibility of the myths to account for what is truly pious; the myths simply offer contradictory lessons about the topic. Socrates re-evaluates the values of Athenian life and has found nothing less than a veritable abyss, where values, customs, and most everything ethical prescribed by Athenian *nomoi* simply cannot be accounted for in any determinate way. The religious expert Euthyphro—who sort of metonymically represents the basis of Greek education—reveals, though not intentionally, how the Athenian traditions admit their own internal contradictions.

For instance, in striving for something apparently noble, an impartial conception of justice, Euthyphro pulls from the only resources he feels he has—the sacred myths he loves so much and the *miasmatic* event that he fears, and in effect: he inverts the order between the primacy of *miasma* and the primacy of legitimate, violence-reciprocity, and everyone else in the polis is keen to his blunder. Much of the social praxis in Athens, especially when *miasma*-concern is involved, produces this sort of ethical dissonance, where bending in the direction of one custom often means breaking another. But more damaging than psychic dissonance is the impulse toward vindictiveness that is nourished, it seems, by the myths and obscured by religious rites; Euthyphro's prosecution—the deformed outgrowth of some original progressive attitude—reveals the ethic of extreme vindictiveness that is at play not only in Athenian myths, but at play within the Athenian psyche, and apparently at play in Euthyphro's prosecution attempt (insofar as he justifies it by taking as his model Zeus' brutality against his father). Socrates is quite aware: the traditions are ruining Athens—and ruining Athenians.

This is why the formulation that Euthyphro is nothing more than a retrograde, religious zealot has certainly missed its target. And if the tragic blunder of Euthyphro's malformed attempt at progressivism reveals anything—it reveals that if there is to be any moral progress in Athens, then the traditions must be abandoned. The last word of the *Euthyphro* is simply its irony: That it is Socrates who is being put to death for impiety when no one in Athens, including the religious experts, can account for what “piety” is in the first place; that it is Socrates who is being put to death for spreading dangerous religious ideas; that it is Socrates who is being accused of ruining the youth, accused, in part, by Meletus, who prosecutes on behalf of truly ruinous gods and on the behalf of truly ruinous traditions. Socrates' response to these charges is, in some sense, no less ironic, but there is some more work to do before turning to Plato's *Apology*.

## CHAPTER 2 RELIGION, VIOLENCE, AND GIRARD

### THARGELIA AND THE *PHARMAKOS*

I think that if we are to be at all adequate in addressing Socrates' defense speech as well as the particular indictment against him, then we have to begin by being especially attentive to the backdrop of the dialogue. So, first, let's revisit that most intriguing, yet also a most neglected aspect of the *Apology*: the Thargelia festival happening in the background of the trial. As we learn from both the *Crito* and the *Phaedo*, Socrates' execution<sup>38</sup> was delayed because of the Delia observance. Until Athens' sacred vessel (said to be the same, oft-repaired vessel Theseus used himself) returned from Delos, all executions were prohibited so as to keep the city pure and to avoid displeasing Apollo, to whom the observance was dedicated. "The mission begins," *Phaedo* explains to Echecrates, "when the priest of Apollo crowns the prow of the ship [with the laurel wreath], and this happened, as I say, the day before Socrates' trial."<sup>39</sup> There is overwhelming agreement that the date of the annual Delia observance began on the 6<sup>th</sup> of Thargelion, placing Socrates' trial squarely on the 7<sup>th</sup>, the day after, according to Parker and others, the scapegoats were sent out.<sup>40</sup>

Thargelia, like the Delia observance, was dedicated to Apollo; it was a festival of purification and renewal involving the year's first harvest. On the 6<sup>th</sup> "bad things were driven out" (namely, the scapegoats) while on the 7<sup>th</sup> "good things were carried in"<sup>41</sup> (namely, the ripening crops). Parker is careful to note here, and Girard is even more adamant, that the expulsion of the *pharmakoi* was not intended to purify, or otherwise bless, the harvest, but to

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<sup>38</sup> It's worth mentioning also that execution by hemlock was especially approved of in Athens because it was bloodless, thus "freeing Athens," as Waterfield puts it, "from the *miasma* of guilt." See Robin Waterfield, *Why Socrates Died: Dispelling the Myths* (New York: W.W. Norton & Company, 2009), 7.

<sup>39</sup> Plato, *Phaedo*, 58b–c.

<sup>40</sup> Parker, Robert, *Miasma*, 25.

<sup>41</sup> *Ibid.*

purify the *city*—Thargelia amounted to citywide *katharmos*. Certainly part of what is so strange and fascinating about Thargelia festivities has to do with how primitive and anachronistic it all looks; as Burkert notes, “there seems to emerge amid the heights of Greek civilization the nightmare of human sacrifice.”<sup>42</sup> Parker suggests that not only is it probable that these sacrifices still took place in the metropolitan Athens of the late 5<sup>th</sup> century, but it cannot be shown that the tradition was abandoned even in, or after, the time of Aristotle.<sup>43</sup> To bring the nature of this scapegoating more clearly into view, let’s begin by taking a closer look at the sort of individuals who might be selected for the city-wide ritual.

The peculiarities belonging to the Greek *pharmakos* and his manner of sacrifice will vary depending on whether we have in mind the Abderan or Massilian scapegoats, or the scapegoats belonging to Leucadia, Chaeronea, Colophon, or Athens. But in all cases, the sacrificial victims were taken from the outskirts of society—be them criminals, slaves, foreigners, ugly persons, or very young men and women. On this, Bremmer remarks:

Criminals put themselves outside the community, and strangers naturally do not belong to it. Slaves, poor and ugly persons did not count in ancient Greece. As for young men and women, it has recently been shown that their place was not inside but at the margin of society.<sup>44</sup>

However, Bremmer, Parker, Burkert and others all place emphasis on the ugliness of the two, male Athenian *pharmakoi*. In practice they were always “miserable creatures, physically repulsive,”<sup>45</sup> two particularly loathsome men.<sup>46</sup> That the Greeks had a special sort of abhorrence for ugliness is attested to in their word *kakos*, “what is base and evil,” with its additional

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<sup>42</sup> Walter Burkert, *Structure and History in Greek Mythology and Ritual* (Berkeley: Univ. of California Press, 1979), 64–65.

<sup>43</sup> Parker, *Miasma*, 24.

<sup>44</sup> Jan Bremmer, “Scapegoat Rituals in Ancient Greece,” *Harvard Studies in Classical Philology*, 87 (1983): 303–304.

<sup>45</sup> Parker, *Miasma*, 258.

<sup>46</sup> Walter Burkert, *Greek Religion: Archaic and Classical*, trans. John Raffan (Malden, MA: Blackwell Publishing, 1985), 82.

meanings of “physical ugliness” and even “foulness.” *Kakos* itself can be traced back to the P.I.E *kakka*—“to defecate.” Here are Vernant’s and Vidal-Naquet’s remarks on the *pharmakos*; note the use of *kakourgoi* (“ill-doer,” “malefactor”) and its connection to *kakos* and *pharma-kos*.

How were these *pharmakoi* selected? They were most likely recruited from the dregs of the population, from among the *kakourgoi*, gibbet fodder whose crimes, physical ugliness, lowly condition, and base and repugnant occupations marked them out as inferior, degraded beings...the refuse of society.<sup>47</sup>

Finally, Greece’s extreme aversion to *kakos* can be found in a scene from the *Iliad*, where the close connection between foulness of character and physical ugliness is foregrounded in the physically disabled Thersites, “the ugliest man to come to Troy.”<sup>48</sup> The malformed warrior was a bald-headed hunchback with one lame foot and a pointed skull. Thersites scolds Agamemnon before the entire Greek army, urging that the ten year military campaign be abandoned. In response to this perceived “cowardliness” Odysseus beats and rebukes Thersites, vowing also to expel him from the assembly.<sup>49</sup> Now, not long before Thersites’ speech, Agamemnon had tested his army’s resolve by bidding they return to their ships and sail home, creating no small disorder among the rank and file. However, as Odysseus’s victim lay there before all, bloodied and weeping, unanimity is restored, and the army (also now rolling in laughter) is recommitted to the war effort—which, unlike Thersites, is *kalos* (beautiful and good).

So, not only does the *Iliad* foreground a Greek antagonism toward ugliness—a significant dynamic at play in the Athenian Thargelia—but, more precisely, the case of Thersites reveals how, in being so vulnerable to Greek hatred, the repulsive individual had a way of coercing unanimity from an otherwise disordered and despairing community. This is the exact function of the ritual *pharmakos*. And in terms of the scapegoating mechanism, two additional, yet

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<sup>47</sup> Jean-Pierre Vernant and Pierre Vidal-Naquet, *Myth and Tragedy in Ancient Greece*, trans. Janet Lloyd (New York: Zone Books, 1996), 128.

<sup>48</sup> Richard Lattimore, trans., *The Iliad of Homer* (Chicago: Chicago Univ. Press, 2011), Book 2, 216.

<sup>49</sup> *Ibid.*

somewhat obvious, themes have also become prominent here: that “one head” (or two) is exchanged “for many” and that in the exchange, communal anxieties are relieved. These themes hold for any Greek city-state whose scapegoating traditions we may have in view.

In terms of the Athenian Thargelia, the nature of this anxiety is clear. While the 6<sup>th</sup> of Thargelion marked the end of one calendar cycle, the auspicious 7<sup>th</sup> ushered in a new year. And in order that the new cycle began with a “clean slate,” the totality of Athens’ hitherto accumulated pollution and defilement must be driven out. And along with the expunged *miasma*, also disappearing were any accompanying anxieties about the seasonal transition. Of course, the *pharmakoi* facilitated the purification in quite interesting ways; reports suggest that in many Greek cities—and Burkert thinks that this likely held for Athens, also<sup>50</sup>—before their exile, the scapegoats were led by a communal procession about the town, then through the gates, and finally around these city’s walls so as to absorb into themselves the community’s pollution. This is why the scapegoat was, in addition to “*pharmakos*,” also called “*peripsema*,” an “off-scouring,” the filthy item which is discarded after a cleansing (like sponges, brushes, or other scouring pads).

More fascinating yet is that before exile, the Athenian *pharmakoi* (like other Greek scapegoats) received a royal meal, were put up for some time in the Athenian Prytaneum, and then dressed in fine clothes before their procession and expulsion<sup>51</sup>; often, this was a rite conducive to obtaining lowly beggars, who might “accept the role voluntarily in return for the preliminary feeding.”<sup>52</sup> However, the royal treatment also has deeper, symbolic significances, one of which has to do with an inherited tradition that can be traced back to a time in Greek history where even a King, or members of his royal family, could be sacrificed during particular

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<sup>50</sup> Burkert, *Structure and History in Greek Mythology and Ritual*, 65.

<sup>51</sup> Bremer, “Scapegoat Rituals in Ancient Greece,” 305.

<sup>52</sup> Parker, *Miasma*, 258.

crises, for instance great crop failures and the subsequent famine. But even here, like the criminal or the beggar, the King occupies a place at the margins of society; as Girard notes, the king “escapes from society, so to speak, via the roof, just as the *pharmakos* escapes through the cellar.”<sup>53</sup>

However, I think the more relevant interpretation of the royal feeding has to do with the fundamental ambiguity of the scapegoat. The *pharmakos* is doubly constituted as both the salvation of the community and its anathema. This ambiguity is felt in the term itself. The very similar term “*pharmakon*” can mean both “poison” and “medicine”—and the expulsion of the poison that is the scapegoat is also, at once, the remedy for an anxious, Athenian community, at least insofar as the scapegoat saves the polis from its collected defilement by carrying that defilement away. Here, the *pharmakos* is both “the polluted” and “the savior.” What seems most likely, however, is that only on an abstract level would the *pharmakos* be in anyway “revered” as sacred by the community. On the contrary, all the evidence points to the scapegoat’s being, practically speaking, an object of aversion, insult, and ridicule.

Now, whatever apparent function the Thargelia scapegoating mechanism served in 5<sup>th</sup> and 4<sup>th</sup> century Athens—namely, to grant relief from the anxiety that accompanies a new seasonal cycle and to safeguard the divine from *miasma*—it seems clear that its essential role in granting an outlet for violence was widely diminished. For whereas Parker readily notes the primacy of violent impulses in the purification of “homicidal” animals, weapons, and humans, he’s not quick to assign to Thargelia the primary function of granting a “catharsis of violence” (though he doesn’t explicitly deny that interpretation). So over the next few paragraphs, I want to turn to Girard in order to illuminate some of the original purposes of sacrificial rites among

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<sup>53</sup> René Girard, *Violence and the Sacred*, trans. Patrick Gregory (Baltimore: John Hopkins University Press, 1979), 12.

primitive communities and to demonstrate how these rites might evolve. This will allow for a better view of the possible role of violent impulses (even if largely diminished or altered) in the sacrificial rites belonging to Classical Athens. I think this is plenty necessary if we are to come to terms with the real significances belonging to a 5<sup>th</sup> century trial that took place amidst a scapegoating festival—namely, the trial recorded for us in the *Apology*.

Regarding the original role of sacrificial rites among primitive communities, like a community ruled by the mandate of blood feuds, Girard notes:

In a universe where the slightest dispute can lead to disaster—just as a slight cut can prove fatal to a hemophiliac—the rites of sacrifice serve to polarize the community’s aggressive impulses and redirect them toward victims that may be actual or figurative, animate or inanimate, but that are always incapable of propagating further vengeance. The sacrificial process furnishes an outlet for those violent impulses that cannot be mastered by self-restraint...the sacrificial process prevents the spread of violence by keeping violence in check.<sup>54</sup>

Now, Girard is always careful to distinguish the “preventive mechanism” from the “curative mechanism,” which is another way of distinguishing the “sacrificial mechanism” from the “retributive mechanism,” and still more—this is a distinction between the “religious” and the “judicial.” We might say, along with Girard, that insofar as reprisal is predicated on some original conflict, then the central function of preventive sacrifice is not to forestall reprisals, per se, but to forestall the originating conflicts that engender reprisals. Thus, the sacrificial victim functions as another kind of “good conductor” for the violent impulses bubbling within the community: “the elements of dissension scattered throughout the community are drawn to the person of the sacrificial victim and eliminated, at least temporarily, by its sacrifice.”<sup>55</sup>

Here, all of the aggressive impulses—the disputes, the jealousies, the rivalries, the quarrels, etc.—that might produce violent conflict (multiplied by a cycle of reprisals) are instead

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<sup>54</sup> Ibid., 18.

<sup>55</sup> Ibid., 8.

discharged onto the prepared sacrificial victim, granting a violent catharsis for the community. The victim onto whom the violent impulse is diverted, be it human or animal, can be exposed to violence without fear of reprisal—“their death does not automatically entail an act of vengeance.”<sup>56</sup> This is because the victim is chosen from a lot of marginalized beings whose status as a foreigner, a handicapped person, a slave, a criminal, or an adolescent has prevented them from being fully integrated into the society. This reminds us of the slave, and the unprotected dependent, and the child whose murders yielded no (or only a limited amount of) pollution, precisely because those victims lived, and died, on the outskirts of the community without any “retribution insurance.”

However, 5<sup>th</sup> and 4<sup>th</sup> century Athens did not constitute the sort of “universe” that Girard mentions above. Earlier in Athenian history it was more than likely, if we agree with Girard, that the sacrificial program in place functioned as the primary measure against lawlessness and interminable violence (insofar as it was a preventative, sacrificial mechanism). But here in Classical Athens, the homicide laws and the further development of an Athenian judiciary—which had claimed a monopoly on the means of revenge—largely took over from religion the function of “keeping violence in check.” Girard speaks directly to this:

It is significant that sacrifice has languished in societies with a firmly established judicial system—ancient Greece and Rome, for example. In such societies the essential purpose of sacrifice has disappeared. It may still be practiced for a while, but in diminished or debilitated form.<sup>57</sup>

The “judicial” mechanism for keeping violence in check is not preventive but, in Girard’s language, “curative.” This is to say that, in a society like ours, “the system does not suppress vengeance; rather, it effectively limits it to a single act of reprisal, enacted by a sovereign

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<sup>56</sup> Ibid., 13.

<sup>57</sup> Ibid., 18.

authority.”<sup>58</sup> So, instead of sublimating through sacrifice the violent impulse before it expresses itself in conflict and reprisal, the curative procedure allows the “disease” of violent conflict to infect a member of the community; but the mechanism prevents the violence-contagion from spreading about the community (in the form of reprisals) because the judicial system has been sanctioned as the final word on vengeance. A well established judicial mechanism is preventive only in a secondary sense, then; it is able to forestall or prevent violent conflict because its resounding and foreboding authority has guaranteed, in advance, a single, sanctioned reprisal to any initial conflict.

In this light, the curative, judicial mechanism is far more aligned with the logic of retribution than the religious mechanism, which simply attempts to quell violent impulses or displace their expression onto secondary objects or victims. However, Girard proposes that the curative-judicial system “functions best when everyone concerned is least aware that it involves retribution.”<sup>59</sup> And with this Girard brings a great deal of clarity to much of what has been outlined in our first chapter regarding the *miasma* concern that inscribes Athens’s legal arena: namely, that this concern obscures as “religious-purification” an impulse for “retribution.” Essentially, this process of obscuring is the essence of religion for Girard:

*Religion* in its broadest sense, then, must be another term for that obscurity that surrounds man’s efforts to defend himself by curative or preventative means against his own violence. It is that enigmatic quality that pervades the judicial system when that system replaces sacrifices.”<sup>60</sup>

So, whereas a “more Ancient” Athens might have relied on sacrificial rites to protect itself from internal violence, by Classical times Athens has largely transitioned to a curative judicial system that has presumably (if Girard is correct) dispensed with the preventative

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<sup>58</sup> Ibid., 15.

<sup>59</sup> Ibid., 21.

<sup>60</sup> Ibid., 23.

mechanism, which endures in a languished form, but perhaps superficially (if not because its purpose has been altered). If the implication here is that the essential function of sacrifice no longer animates Thargelia in classical Athens, then what are we to make of the function of sacrifice in its 5<sup>th</sup> and 4<sup>th</sup> century forms? In the above passage, Girard points us in the direction of a solution: the function of religion, and religious rites, as processes of concealment and obscurity. In light of this, I propose a hypothesis as to the primary cultural function of the 5<sup>th</sup> and 4<sup>th</sup> century Athenian Thargelia: namely, that its primary function was not to arrest violence before its expression, but to maintain the *reality* of *miasma*. This will become clear below.

According to Girard, the mechanism that controls violence with more violence (be that mechanism judicial or religious, curative or preventative) requires that its retributive function be in some sense concealed—either through the obscuring function of transcendent dogma (i.e., an idealized principle of justice) or through the obscuring function of religious rituals that separate vengeance from purification (i.e., pollution concerns):

If the function of the system has now become apparent, that is because it no longer enjoys the obscurity it needs to operate effectively. A clear view of the inner workings indicates a crisis in the system...The underlying truth breaks through and we find ourselves face to face with the spectre of reciprocal violence.<sup>61</sup>

In the above, Girard wants to make clear that if the veneer overlaying the mechanism (of violence control) wears thin—if the transcendent / ritual language falters—as he thinks it is prone to do, then the difference between the principle of justice and the concept of revenge disappears. Girard describes this state of affairs as a “sacrificial crisis.” That is, if the difference between “sanctioned” and “unsanctioned” violence is called into question, then the felt threat of interminable (internal) violence would reassert itself against the community, since all violent reprisals would then have equal claims to legitimacy. Stated more directly—if the transcendent

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<sup>61</sup> Ibid.

quality is lost, then there will no longer be “any terms by which to define the legitimate form of violence and to recognize it among the illegitimate forms.”<sup>62</sup> Here purificatory violence is the only legitimate form. So, as far as Classical Athens is concerned, maintaining the experiential purchase of binaries like pure / impure or polluted / purified is necessary for ensuring that the growing Athenian judiciary *appears* as a legitimate form of violence, that is to say: a form of violence whose apparent objective is not revenge, but rather pollution purification. Here, the fact that the judicial system is actually operating according to a logic of revenge—meaning that it is no more legitimate than *any other* form of reprisal governed by revenge—is obscured. This obscurity ensures the effectiveness of an ever developing Athenian judiciary, in terms of violence prevention and control. Thargelia, then, is primarily about the maintenance of these binaries, the maintenance of the reality of the difference between the polluted and the purified, and in effect the maintenance of the obscurity that surrounds the judicial institution, which appears as a procedure of “purification” while its actual (yet hidden) procedure is to enact authoritative retribution.

For the sake of clarity, let me try to restate this another way. Thargelia scapegoating, the most grandiose of all purification procedures, is not some empty or otherwise languid tradition that just happens to be dying a slow death. And my hypothesis here is that Thargelia sacrifice finds its central purpose not in sublimating or diverting aggressive impulses for the sake of violence prevention—like earlier incarnations of scapegoating violence—but instead Thargelia finds its central purpose in maintaining the reality of *miasma*; this is a reality that is then emphasized and taken up by the judicial mechanism in order that this mechanism might conceal, under the guise of “purification,” the logic of vengeance by which that mechanism is actually governed. And I think there is some evidence to back this up: it is because of this

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<sup>62</sup> Ibid., 24.

transformation of the objective of sacrificial violence that the element of brutality appears to be more subdued in Thargelia than in the more primitive manifestations of scapegoating violence. For instance, scholarship on the *pharmakos* suggests a distinction between two types of Greek sources that reported on scapegoating violence: etiological sources whose author was dealing in mythical accounts of the origin of scapegoating and authors who provided more historical or ethnographical accounts of the *pharmakos*. The etiological myths (which Girard would suggest contain traces of ancestral reality) all point to the *murder* of the scapegoat, usually by a collective brutal stoning where the whole community took part in the violence.<sup>63</sup> That sacrificial rites were about diverting violent impulses (the preventative measure) is much more apparent in these etiological reports than it is in the non-etiological reports whose authors commented on the present ritual itself (as opposed to relating the mythical account of that ritual's origin). In these second kind of reports, the Thargelia *pharmakoi* are never killed, just driven out of the city—often very peacefully.

And this makes plenty sense. So, unlike its more brutal manifestation in earlier times, Thargelia scapegoating appears to be much less about facilitating a “pure” murder that grants a catharsis of violence to the whole community and much more about maintaining the credibility of pollution fears, a source of anxiety that must be remedied with incredible, over-determined ritual. The excessive concern for purification—a concern that was produced and aggravated but also remedied by Thargelia scapegoating—could simply be appropriated by the Athenian court system, granting that system a sort of transcendent legitimacy; the Athenian judiciary adopts for itself a sort of religious sovereignty, or religious authority, insofar as it is an institution not simply of punishment, but an institution of purification. And as such, a judicial program of justice governed by a logic of *revenge*—which, at bottom, is no different than the logic of

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<sup>63</sup> See Bremmer, “Scapegoat Rituals in Ancient Greece,” 315.

revenge governing the ancestral blood feuds, though it must always appear different—might succeed in obscuring itself, instead, as a program of justice governed by the logic of *purification*.

Without the help of Girard, it is enormously difficult, if not impossible, to see all this clearly:

We have seen that the “curative” [think judicial] measures, ostensibly designed to temper the impulse toward vengeance, became increasingly mysterious in their workings [recall those enigmatic, legal trials held for animals and weapons] as they progress in efficiency. As the focal point of the system shifts away from religion and the preventative approach is translated into judicial retribution, the aura of misunderstanding that has always formed a protective veil around the institution of sacrifice shifts as well, and becomes associated in turn with the machinery of the law.<sup>64</sup>

That Athens’s method for violence control was still evolving from preventative to curative measures accounts for the seemingly anachronistic presence of both pollution concerns and “primitive” scapegoating violence. There is good reason to believe that this was the case because the success and efficiency of the judicial-curative program depended on that program’s appropriation of the same veil of obscurity (and misunderstanding) that was thrown over the religious-preventative program; the *miasma* institution—with Thargelia at its forefront—was precisely the source of this obscurity.<sup>65</sup> As far as I have seen, this is not a theory that has been developed by scholars of the Classical era, though it brings a whole new light and sense of meaning to Athens’s enigmatic obsession over pollution—and more specifically, it helps illuminate the matter of Socrates’ trial, which we will address in a few pages.

### **ATHENIAN CRISIS AND THE NON-RITUAL SCAPEGOAT**

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<sup>64</sup> Girard, *Violence and the Sacred*, 22.

<sup>65</sup> Think of the judicial branch of the American State. Consider the judge’s priestly robe, the elevated bench, the statues outside the courthouse, the pillared, temple-architecture. The representation of enlightenment that is the modern judicial aesthetic reveals a trace of not only Roman and English aesthetic, but also of a more ancient religious rite and pomp whose function was to promote a sacred if not spiritual reverence for Law by obscuring as “devotion to justice”—via spectacle and over-determined signs of “transcendence”—what was really a new and authoritative expression of violence and retribution.

Apart from obscuring the logic of vengeance that animated the workings of the judicial mechanism, it is likely that Thargelia's "maintenance of the reality of pollution" had the added effect of producing within the communal psyche a heightened sensitivity to the city's own responsibility for any catastrophe that befell the polis from outside of itself. For instance, military defeats, plagues, famines, and draughts would have doubtless appeared to the common Athenian as acts of violence reciprocated onto the city by the very gods whom the polis had aimed, yet failed to protect from pollution. Having to protect the gods from *miasma* contact, lest they punish the city, was a 5<sup>th</sup> century cult dynamic that simply wasn't present in the Homeric era. Parker notes as much when he remarks—though without being able to explain fully—the fact that corpses and the stench of death, i.e. pollution sources, simply didn't affect the gods of the 8<sup>th</sup> or 9<sup>th</sup> century in a manner similar to how it affected the gods of the 5<sup>th</sup>:

This account [of the revolting character of birth and death] may be taken to roughly represent the situation in Athens in the 5<sup>th</sup> century. In the Homeric world, it has often been argued, attitudes were very different. Despite the countless deaths described in Homer, there is no hint of *miasma* affecting the living. The heroes may return to their normal pursuits after a funeral without apparently even washing. In particular, the absolute revulsion of the gods from scenes of death seems to be missing. They mingle in battle with the dead and dying, and do not disdain to touch a corpse.<sup>66</sup>

The reason then (if we agree with Girard and our use of him here) for the present difference between the Homeric world and the world of Classical Greece has much to do with the fact that within the former world legal institutions, like homicide laws and the emergence of a curative judicial system, had not overemphasized the reality of pollution and its danger to the gods—frankly, because in the Homeric world there were no such homicide laws and emerging judicial systems around to begin with.

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<sup>66</sup> Parker, *Miasma*, 66.

For our purposes, the important implication of Athens's "heightened sensitivity" to, and responsibility for, pollution has to do with the city's response to divine *loimos*. Though commonly translated "plague," *loimos* indicated a "whole complex of disasters"<sup>67</sup> resulting from divine anger. Not only were storms and pestilences indicative of a *loimos*-crisis, but also civil wars, communal strife, and military defeats. Now, how did Athens respond to such disasters? The sources tell us that city exiled a fresh *pharmakos*. So, not only were the scapegoats sent out during the annual festival of Thargelia, but the *pharmakoi* were exiled "in response to specific crises."<sup>68</sup> Parker, Bremmer and Burkert all note the use of *pharmakoi* in non-ritual—that is, non-Thargelian—responses to individual disasters, and the Athenian reasoning is clear: whether the gods were simply withholding protection from Athens or actively punishing the community, the *loimos* must, in either case, owe to an over-accumulation of pollution within the community. As the city knows too well, this calls for the Thargelia-tested *pharmakos*, Athens's "cure all" for *miasma*. Yet, we can hardly imagine that sending some ugly Athenian to his death did any good in relieving a drought or a famine or the civil strife following a lost war. And ultimately, over time the enduring misery of *loimos* might precipitate, in its own turn, a sacrificial crisis in the polis. Let me try to explain what this means and why I think this was likely the case for late 5<sup>th</sup> century Athens.

By maintaining the reality of pollution (through excessive purification rituals) Thargelia at once both nourished a pollution-themed anxiety and allowed for the relief of that same anxiety through the annual sacrificial rites. Thus, Thargelia makes this sort of implicit promise to the polis that "though pollution is real, the threat is manageable"—manageable in that *miasma*-anxiety, which is itself sort of artificially produced for the polis, could be relieved via the ritual

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<sup>67</sup> Ibid., 257.

<sup>68</sup> Ibid., 258.

scapegoat. And the very fact that scapegoats were sent out apart from the 6<sup>th</sup> in order to placate some specific crisis is testimony to the success of Thargelia in both perpetuating pollution fears and guaranteeing trusted remedies. And alas, far from undermining faith in ritual superstition, great disasters tend to exacerbate religious fears and cult remedies. So, the evidence leads us to assume that in an Athens where religious anxieties are further aggravated by a *loimos*-crisis, *miasma* fears are in turn intensified beyond what was normal and thus become such a felt threat to the polis that *pharmakoi* begin to be exiled at will.

However, and despite being a little redundant, we do well to remember that the desire for *katharmos* is often a secondary elaboration upon a more primary impulse for violence; and as the case of Euthyphro demonstrated, an intensification of purification desires often means there is likely a corresponding intensification of desires for retribution and revenge. This is precisely what we find to be the case. Vindictive impulses are at play in non-ritual, “ad hoc” scapegoating no less than they are at play in Euthyphro’s prosecution against his own father<sup>69</sup> (a legal case that, in its own way, had departed from ritual norms). Consider what Parker has to say on the role of the non-ritual *pharmakos* who is exiled “ad hoc” in response to a specific *loimos*:

The *pharmakos* is not merely a wretch but also a villain...The *pharmakos* ceases to be a mere vehicle on to which, like the original scapegoat of the old Testament, the ills of the community are loaded by a mechanical process of transference, and becomes instead, through his crime, the actual cause of whatever affliction is being suffered...Accordingly, to exile...will mean ‘getting rid of an offender against the gods.’<sup>70</sup>

Now, in being subjected to a severe communal crisis, the majority of Athenians will believe (and feel) that they are thus victims of a *divine* reprisal. As such, the religious dimension

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<sup>69</sup> Interesting enough to comment on here is that Euthyphro’s neglect of filial piety in taking his father to court is something of a testimony to a sacrificial crisis in Athens. On this, it is again helpful to turn to Girard. He remarks that “When internal strife, previously sublimated by means of sacrificial practices, rises to the surface, it manifests itself in interfamily vendettas or blood feuds.” Girard, *Violence and the Sacred*, 14.

<sup>70</sup> Parker, *Miasma*, 259.

would never be absent from those scapegoating measures that, in turn, intend to appease that crisis. This notwithstanding, in exiling the *pharmakos* ad hoc, the religious “purity” that is attached to the fixed date of Thargelia scapegoating is very much abandoned. It appears that in non-ritual scapegoating, other ceremonial rites were neglected as well, specifically the royal feeding<sup>71</sup> and the “sponging” ritual. Whereas during Thargelia the ritual scapegoats were led around the city so as to absorb pollution, it would have certainly been counterintuitive if the single, ad hoc *pharmakos* were treated exactly similar; for the non-ritual *pharmakos* functions less as the “offscouring” that absorbs the city’s *miasma* and, instead, functions more as the poison itself that is to be “spit out.” In other words, the non-ritual *pharmakos* represents the actual cause of the *loimos*. The lowly and cursed individual is made to be the pollution source which had offended the gods at the start. The important implication of this has to do with the fact that in non-ritual scapegoating the violence at play is always a little less pure than in Thargelia scapegoating. Thus, the dangerous spectre of retribution is a little less obscured.

In all of this, I think it is not only likely, but also apparent that the sort of scapegoating violence that emerged during times of crisis in Athens would have been animated by a set of concerns that were in many ways quite distinct from the concerns at play during Thargelia. For instance, it wasn’t enough to find a particularly ugly and base individual, whom all of Athens might easily come to detest, and then march that individual around the city mopping up the collective defilement. The non-ritual *pharmakos* needed to take on a more symbolic function. Here, the scapegoat could no longer be something of a literal pollution sponge. Instead, he had to function as the surrogate victim who stood in for the whole city as the actual source of communal pollution. Yet, paradoxically, the non-ritual *pharmakos* has to do more than “stand in”

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<sup>71</sup> Some of the reports suggest that the *pharmakoi* were put up on the State’s dime and given royal meals for nearly a year in preparation for Thargelia; these rites simply could not have been observed during an ad hoc scapegoating.

if he is to become, as Parker says, a villain and “the actual cause of whatever affliction is being suffered.” The paradox here is that a *pharmakos*, a figure plucked from the margins of the community, has to somehow function as the source of the pollution within the community. We can only speculate that they were criminals especially who were used for non-ritual scapegoating, where the victim’s former misdeeds were exaggerated to the level of villainy, if other crimes were not also, fallaciously, added on prior to his exile. A sort of retroactive “binding” (on the order of guilt, *enochos*) was also likely at play, wherein the community becomes convinced that it had been the lowly criminal “all along,” that it was actually him “the whole time” who required a reprisal, that they just hadn’t noticed all of his “past villainy” until now.

Whatever the case may be, it would not be wise to underestimate the extent to which a majority in the community can successfully shift the “actual” moral blame for a crisis—via whatever mechanisms at its disposal—away from itself and onto marginal figures and groups, especially foreigners and the poor (imagine how seamlessly blame and guilt might shift from the community onto the individual when that community, like Athens, has been bred on scapegoating violence for centuries). In any case, while Thargelia scapegoating emphasized the “rites” in sacrificial rites—the royal feeding, the new clothes, the “procession-sponging”—ad hoc scapegoating emphasized the “sacrifice,” which thereby began to function more on the order of direct retribution, and less on the order of ritual sponging. And even if it were a “symbolic” retribution, seeing as how the mechanism made use of *surrogate* victims, this wouldn’t necessarily imply that the Athenians didn’t on some level fool themselves, as it were, into believing they had chosen for exile the actual cause of the crisis.

Now, insofar as Thargelia rites guaranteed that violence against the scapegoat was “pure,” and insofar as these rites were de-emphasized, if not neglected, during a bout of ad hoc scapegoating—then provided that Athens began to dispatch scapegoats ad hoc, it follows that Athenian society would inch closer to the growing threat of Girard’s “sacrificial crisis”: to wit, “the disappearance of the sacrificial rites [that] coincides with the disappearance between impure violence and purifying violence.”<sup>72</sup> Be that as it may, insofar as it is always a *pharmakos* (a marginal member of the polis) who is expelled during crisis, then the most important rite is still observed in these non-ritual scapegoating measures. That is to say, sacrificial violence against a non-ritual *pharmakos* is still a “displaced” violence that moves away from the community and onto the surrogate victim who, though made to be the source of communal *miasma* is nonetheless taken from *outside* the community.

It is not improbable, however, that severe enough circumstances would have engendered a sacrificial impulse that was not unready to choose victims from *within* the community. For instance, consider that some protracted crisis, interpreted by the city as *loimos*, had settled over Athens for a lengthy amount of time. In fact, we can expect this to have been the situation, more or less, during the last decade or so of the Peloponnesian War, a time of absolute misfortune and calamity; indeed, this was the twilight of Athens’ Golden Age. While there is no specific evidence that testifies to this, I nonetheless do not think it unlikely that Athens may have very well at certain times dispatched, to no avail, non-ritual *pharmakoi*—say, after the mutilation of the Herms in 415, or perhaps in 413 after the ill-decided Syracuse expedition ended in disaster, or maybe after the oligarchic coup in 411, or in response to the devastating defeat at Aegospotami in 405 when the entire naval fleet was destroyed at the hands of the Spartan Lysander, or after numerous territories across Ionia rebelled against Athens in 412. Because

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<sup>72</sup> Girard, *Violence and the Sacred*, 49.

Parker and the others suggest that the *pharmakoi* were sent out in response to specific crises, let's assume for a moment that such non-ritual, sacrificial dispatches were likely to have happened around the end of the 5<sup>th</sup> century; and, again, it looks probable that they would have occurred. Well, by the time of Athens's surrender to Sparta in 404—undergoing starvation and disease and the soon blood-filled tyranny of the Thirty—all of those dispatched *pharmakoi* would have certainly revealed themselves as less than useful in remedying the city's ills and recurring favor with the gods. Undeterred by the sacrifice of *pharmakoi*, the *loimos* of a social and military crisis would have appeared, to the religious Athenian, as all but implacable. From that citizen's point of view—indeed, the average citizen's point of view—the gods had simply abandoned Athens, leaving in their wake a destroyed empire and an impoverished people. Athens had been brought low.

Even if we abandon the speculation about whether or not (and the effects of) a slew of non-ritual *pharmakoi* being dispatched, to no avail, in late 5<sup>th</sup> century Athens—even if we abandon this, we are still confronted with the fact that during the final years of the war, a city that was convinced of the reality of *miasma* (and all of its associated prescriptions) was currently undergoing the most turbulent ten years of that city's entire history. The evidence of the time is limited, but it is a little unbelievable to think that both religious fervor and religious upheaval were not perturbing Athenian social life. Rather, this was likely a time when more violent and less ritualistic sacrificial remedies would have been sought. What I want to offer is that with each annual failure of the Thargelian *pharmakoi* (and *perhaps* non-ritual *pharmakoi*) to appease divine anger, the social crisis (of impoverishment and military defeat) would have been compounded with the beginnings of something like Girard's sacrificial crisis. For implied in each failure of the *pharmakos* is the inability of the surrogate victim to appease an inexorable

*loimos*, the inability of the surrogate victim to provide justice to offended gods, the inability of the surrogate victim to cleanse some ingrained pollution. Here, the untreated miseries caused by *miasma*—and remember, every Athenian institution pleads its reality—carried the implication that “marginal” victims simply failed to deliver a communal *katharmos*. However, at bottom this implication would have been a mere secondary elaboration upon a more primary failure: namely, the inability of marginalized victims to satisfy the community’s impulse for revenge. And considering all the injuries that late 5<sup>th</sup> century Athens had suffered, the retributive impulse would have been just seething for release. So, I think we need to reckon with the idea that in seeking its long-awaited satisfaction, the retributive impulse (elaborated as a purification or redemption desire) had begun to train itself against the community itself, choosing as a victim some actual wrongdoer, some actual agent of impiety who walked among the people, whose offenses were well-known, and—therefore—who must have been, unlike the marginal figure, the “real” offender against the gods and thus the “real” cause of *loimos*. Without yet even considering Plato’s or Xenophon’s dialogues—this is the sort of historical reality I want to suggest had colored the the backdrop of Socrates’ trial. Here Socrates is of course this “agent of impiety;” that is, the gadfly Socrates was plucked from within the community as the non-marginal, non-ritual *pharmakos*. That Socrates could have been the victim of this sort of sacrificial violence bespeaks Girard’s sacrificial crisis. This is because the selection of a sacrificial victim not from outside but from *within* the community tokens the dangerous disappearance of sacrificial rites; it is the muddling up of pure and impure violence, the muddling up of religious and political violence, the muddling up of retributive and purificatory violence. Without these differences, when violence spills over all boundaries, the spectre of revenge gets “out in the open.”

Having all of this as a basis, I propose that Plato's *Apology* is set within the context of such dual crises, a crisis of *loimos* compounded by a crisis of sacrificial rites, in which ritual remedies no longer seemed to protect the divine link between the city and the gods. Take into account the state of Athens at the close of the 5<sup>th</sup> century. Consider the disasters wrought by the Athenian traitors Alcibiades and Critias; consider the failed war, the loss of both Athens's empire and its supremacy in Greece, not to mention the loss of Athenian wealth. Above all—consider the bloody rule of the Thirty Tyrants, their denial of citizenship to all but three thousand men, and their murder of some fifteen-hundred innocent Athenian citizens. A blight was on Athens.

In fact, the crisis that had settled over the city at the close of the century was as much of a *loimos* as the plague that hit the polis thirty years before. Many “common sense” Athenians likely believed they were the victims of divine neglect, that the gods had taken sides with Sparta against the city. The sheer impossibility of there being a single cause for such calamities notwithstanding, the Athenian majority, born and bred on scapegoating traditions, was perfectly willing to accept as true the misguided belief that a single victim was responsible for Athenian tribulations. And despite the democracy—if not because of it—post-war Athens, as many have suggested, might have been in some respects little better than a mob rule, where men of powerful, political reputation could exploit the victimary impulses of the “many” and coerce from the *demos* those primary impulses toward revenge and retribution.

Such political tactics were hardly different in kind from the tactics of the Thirty. Parker and Burkert both comment on this, the former suggesting that “this [was] perhaps the level of feeling to which the Thirty Tyrants appealed with their intention of ‘purifying the city from the

unjust.” Parker, in a remark that is especially relevant for our study, goes on to say in the same passage:

The notion of purifying the city by the expulsion of some disruptive element (*ekkathairó*<sup>73</sup>) is one that is quite commonly found: possible targets for this treatment are persons with no visible means of support, “corruptors of the youth,” and even, under tyranny, “the best citizens.”<sup>74</sup>

The fact that the “logic of purification” had begun to justify what were apparent political murders testifies to the presence of a disastrous, sacrificial crisis that had, in addition to disastrous *loimos*, plagued late 5<sup>th</sup> century Athens. The transcendent difference between pure and impure violence, which would have been merely blurred by non-ritual *scapegoating*, had begun to completely disappear under the violence of the Thirty and their murderous “cleansings.” Having well known, and perhaps suspect, political motivations, the democratic accusers were, in turn, propagating this sacrificial crisis by co-opting Thargelia festivities for their trial against Socrates. From what we know of him, it would be wise not to put such dramatic ploys past Meletus, the enthusiastic poet who Plato aligns with the theatrical Euthyphro. And it is not difficult to infer from the trial-date a sort of direct attempt by the prosecution to tap into the prolonged *miasma* anxiety now further stirred up by the annual Thargelia rites. At the very least, even if it were coincidental, the trial-date itself nonetheless promoted a “purification-narrative” that functioned to obscure as a “cleansing” what was, at least according to some, a strategic act of revenge (this is Plato’s Socrates’ opinion anyway, though he also adds envy to the list of motivations). However, it’s quite unlikely that such an important trial-date was a matter of coincidence; the symbolic timing of the trial seems to be, on the contrary, clumsily direct—a bit too “on the nose.”

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<sup>73</sup> *Ekkathairó*: a “thorough cleansing.”

<sup>74</sup> Parker, *Miasma*, 263.

In any case—provided that pollution was in fact a felt reality, and Parker and Burkert suggest as much, then tapping into pollution anxieties would have very probably affected a malleable and victimized Athenian conscience. The 6<sup>th</sup> and 7<sup>th</sup> of Thargelion had come once again, and with all of this *loimos* settling on Athens—with Athens having been brought so low—there was most definitely fevering in the backdrop of Socrates’ trial a contaminated community, collectively willing its own salvation through the vengeful expulsion of the pollution-source.

## CHAPTER 3 PLATO'S *APOLOGY*

### THE CASE AGAINST SOCRATES

Now because we don't have access to their speeches, we don't know to what extent, or if at all, Meletus and the others explicitly framed the trial as a "cleansing," much like the Thirty had framed their killings as an *ekkathairó*. However, not only does the date of the trial testify to this "cleansing" narrative, but also much of the symbolism inscribing Socrates' defense speech in the *Apology* suggests that Plato was elaborating upon a "purification by trial" narrative (and we'll see this in a moment). Now, whether it was explicitly promoted by the prosecution or whether it was just sort of implicitly "hanging in the air," the narrative that Socrates was *miasmatic* could only "take hold," as it were, if the charge of impiety were credible. Whereas the *pharmakos*, the wretched "gibbet fodder," was marked as polluted based on little more than his appearance and low social status, Socrates must have had a *reputation* for religious nonconformity, a reputation for "offending the gods," if some of those Athenian *dikasts* (judges) were to believe that his was the single death that could yield a communal *katharmos*. In working through the indictment, we will show that the Meletus's charge of impiety had such credibility. But even here—guilt alone could not persuade a group of five hundred *dikasts* to execute a man at the old age of seventy for doing nothing other than what he had done for the last thirty years.

On this last note, we have to recognize that had it not been for the enduring blight of social and military crisis, the case against Socrates would have never come to trial in the first place, much less produced in an execution. It is quite unreasonable to think that Socrates was found guilty simply because he had "done wrong" in religious matters, for he had been "doing wrong" for decades unmolested. Rather, that Socrates was convicted must necessarily owe to the fact that his fellows were convinced of a connection between his wrong-doing and the relatively

recent social crisis. —Yet, so much ink is spilled over this question of whether Socrates was in fact “guilty as charged” or whether he was simply “wrongly condemned.” And, frankly, this is the wrong question to ask. The question must be: why *now* in 399, after thirty years of the same religious unorthodoxy, is Socrates being condemned for impiety?

And yes indeed—the first and most obvious response points to the simple fact that it was not until the late 5<sup>th</sup> century that former associates of Socrates came to power and began executing slews of prominent, Athenian democrats. Yet those interpretations—of which I.F. Stone’s is the most prominent<sup>75</sup>—that attend to the case against Socrates by narrowly focusing on his anti-democratic views and his relationship with Critias (Plato’s uncle) and Charmides only get us halfway to the mark. And they do more harm than good when these interpretations suggest that the charge of religious impiety was simply a “cover” for unspoken political accusations. Now, the case against Socrates most certainly had political subtext; and had Socrates not been such an adamant opponent of the democracy, and had he not associated with Critias and Charmides—as teacher to pupil—then he would have never drawn toward himself the Athenian revenge-impulse that doubtless brought the hemlock. And in working through the indictment we will address this significant political angle as well. But we have to stress that these very significant political factors do not, nonetheless, entitle us to dispense with the religious factors.

A few more preliminary remarks on these issues before we get into the indictment. In proposing that Socrates was at the same time both a “scapegoat” and a political and religious agitator, who faced credible charges, we run counter to the normal conception of a scapegoat

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<sup>75</sup> His *The Trial of Socrates* is the most thorough elaboration on Socrates’ anti-democratic stance, arguing that his political leanings and his political associations were responsible for his conviction. Stone also suggests that discussion on Socrates’ religious views “diverts attention from the real issues.” See I.F. Stone, *The Trial of Socrates* (Boston: Little, Brown and Company, 1988), 139.

victim, the *pharmakos* specifically. For instance, there is hardly a tendency to think of a scapegoat as a “guilty” antagonist. To the contrary, the usual model would have us conceive of the scapegoat in the terms of an *innocent*, surrogate victim onto whom the ills of some community are loaded before that victim is either killed or exiled. But, as we tried to show in the previous chapter, disruptive elements from within the community (especially during “sacrificial crisis”) might have very easily been singled out as possible scapegoat victims, where they to have political or religious ideas that were in opposition to the spirit of the law or to the ruling majority or the central rulers. This is simply the case of the Thirty’s religious “cleansings.” (And in his work on the *pharmakos*, Burkert also accounts of Athenians chasing disturbing, think “not-innocent,” individuals out of the community.)<sup>76</sup>

Now, scholarly opinions on the trial might be in agreement that Socrates was (either figuratively or literally) some sort of a scapegoat victim. But unless we put aside the common conception of an “innocent scapegoat,” then we unfairly prejudice ourselves to “whitewash” Socrates of any suspicion or wrongdoing—and this is a tendency in much of the scholarship.<sup>77</sup> In effect, unless we take seriously both the charge of impiety and his un-Athenian politics, then the Socrates that emerges from the dialogues will always be a sort of one-dimensional innocent fellow who was killed for simply being a free-thinking philosopher. And unless we take as credible the case against Socrates—being attentive to how he appeared to a community undergoing both social and sacrificial crisis—then we will tend to treat both the *Apology* and the concept of guilt in a kind of historical vacuum.

Now, moving forward, it is precisely the “impiety” of Socrates that we want to emerge in the reading of Plato’s *Apology*; granted, however, this is an attempt to imagine Socrates through

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<sup>76</sup> See Burkert, *Structure and History in Greek Mythology and Ritual*, 71.

<sup>77</sup> This is especially prevalent in the scholarship that tends to neglect the political context of the trial.

the victimized, Athenian perspective. Working patiently through the formal indictment, what I will try to show, ultimately, is how Socrates' reputation had cast him as a pivotal instigator of Athenian crisis and thus a viable object of vindictive, sacrificial violence. Here we will work both the religious and political angles. Following a demonstration of how the prosecution could have likely made their case for Socrates' guilt-pollution, the second section of this chapter—and the last section of our essay—will treat Socrates' *megalegoria* and Plato's adoption of the sacrificial narrative in his *Apology*.

*The indictment:* Socrates was accused of breaking the (broadly defined) law against impiety and corrupting the youth. Meletus swore the official charges:

Socrates does wrong by not recognizing the gods that the city recognizes, and by introducing new spiritual things [*daimonia*]. Socrates also does wrong by corrupting the youth. The penalty demanded is death.

There are three distinct charges, and what tends to be overlooked in the *Apology* is that Socrates' defense speech utterly ignores the first—namely, that he doesn't believe in the *city's* gods. In fact, Plato's Socrates cross examines Meletus about a charge that was never formally leveled: that Socrates was an atheist (26c–28). Now, how are we to believe that Socrates has offered anything like an honest defense in the *Apology*, if he refused to respond to the charges directly? Whereas Xenophon's Socrates does respond to the first charge of the formal indictment, Plato's Socrates simply does not contest the accusation that his religion was not the religion of Athens—and this “Socratic silence” looks an awful lot like an admission of guilt. Consider Socrates' response to the official charge as retold in Xenophon's *Defense*:

You know, gentlemen, the first thing I find puzzling is what evidence Meletus can be using to claim that I do not recognize the gods recognized by the State. For, leaving aside all the possible eye witnesses, Meletus himself could, if he had chosen, have seen me sacrificing during the communal festivals and at public altars.<sup>78</sup>

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<sup>78</sup> Xenophon, “Socrates' Defense,” 43.

Whether the historical Socrates was truly silent on the matter, as Plato tells it, we simply cannot know. But if Plato has given us a more reliable account than Xenophon—at least regarding this detail of the trial—then what are to make of Meletus’s refusal to stick with the formal charge itself and his opting instead for a charge of Atheism? Here is Plato’s account of the exchange between the two:

**Socrates:** Then by those very gods about whom we are talking, Meletus, make this clearer to me and to these men: I cannot be sure whether you mean that I teach the belief that there are some gods—and therefore I myself believe that there are gods and am not altogether an atheist...Or whether you mean that I do not believe in gods at all, and that this is what I teach to others.

**Meletus:** This is what I mean, that you do not believe in gods at all.<sup>79</sup>

Not long after Meletus takes the bait:

**Socrates:** You cannot be believed, Meletus, even, I think, by yourself. The man appears to me, men of Athens, highly insolent and uncontrolled. He seems to have made this deposition out of insolence, violence, and youthful zeal. He is like one who composed a riddle and is trying it out: “Will the wise Socrates realize that I am jesting and contradicting myself, or shall I deceive him and others?” I think he contradicts himself in the affidavit, as if he said: “Socrates is guilty of not believing in gods but believing in gods,” and surely that is the part of a jester!<sup>80</sup>

Meletus is untrained in dialectic, and Socrates knows this. Why does Meletus abandon the official charge? —Frankly, because he is, just as Socrates says, violent, youthful, full of zeal and theatrics. And so at a moment’s notice he is ready seize *any* opportunity to make Socrates out to be all the more wicked and impious before the eyes of the jury. And Socrates knows this, also. Socrates cleverly exploits Meletus’s weakness, alters the meaning of the charge to atheism, and has Meletus agree with the untenable alteration so as to reveal a contradiction in the very indictment. It pays off. Here is Winspear and Silverberg’s powerful remarks on the matter:

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<sup>79</sup> Plato, *Apology*, 26c.

<sup>80</sup> *Ibid.*, 26e–27b.

In the indictment Socrates is accused of disloyalty to the state religion, but in the defense he adroitly changes the sense of this indictment so that it appears that he is charged with atheism. Now such an accusation would obviously be ridiculous, and in Plato's version Socrates mockingly refutes it. Plato has done his usual thorough job of making the opposition obligingly stupid. Meletus is made to blunder into the ridiculous error of arguing out the question in terms of whether Socrates is an atheist. And obviously he was not!<sup>81</sup>

Recall the passage from the *Euthyphro* that we quoted earlier (6a). Here Socrates acknowledges that while he believes in gods, he denies the traditional interpretation of the divinities, and furthermore Socrates recognizes that this is the reason he is being taken to court and, indeed, the reason why he will likely be convicted of doing wrong. So, despite his clever exchange with Meletus in the *Apology*, the Socrates of the *Euthyphro* is not at all confused about the meaning of the charges against him. However, this simply brings up more questions—by not addressing the first charge of the indictment is Socrates admitting guilt? And if so, why does Plato leave his master in silence on this issue? Now, it may very well be the case that by having Socrates refuse to answer the official charge, Plato was simply being loyal to actual events; however, I doubt this is the whole story. And regardless of whether or not the historical Socrates defended himself, as Xenophon reports, by alluding to his participation in public sacrifices, it is difficult to believe that Plato would have any intentions of aligning Socrates with traditional religion and the traditional conception of the divine. On the contrary, I think the narrative that emerges in the trial dialogues reveals that Plato intends to set Socrates in diametrical opposition to traditional religion, even if doing so means spinning the narrative somewhat beyond historical truth. And we'll make this clearer below; but for now, we work through the rest of the indictment and treat the question of how Socrates' brand of religious belief would have, from the

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<sup>81</sup> Alban D. Winspear and Thomas Silverberg, "The Enemy of the Poor: The Issue of Class Conflict," in *The State Versus Socrates*, 84.

common Athenian perspective, cast him as an “agent of impiety” and uncontested offender against gods.

Now, whereas Vlastos treats the question of Socratic (im)piety in terms of the philosopher’s creation of new divinities (namely, morally benevolent gods), Waterfield is more subtle in his approach and, I think, more compelling. For the latter, the question is not whether Socrates worshiped traditional divinities or non-traditional divinities; rather, what’s at issue is whether or not Socrates was “worshiping the gods according to *nomos*.”<sup>82</sup> That this formulation of matters is closer to the essence of the formal charge—that Socrates refused to recognize the gods recognized by the city—is apparent in the language of the indictment itself. “Recognize” or “acknowledge” are the common translations of “νομίζει” (*nomizen*), a verb form of νόμος (*nomos*). Socrates might very well believe in the gods, but the real issue, as Waterfield notes, is that Socrates doesn’t “*nomizen*” the gods; his way of believing, his particular mode of relating to the gods, does not accord with *nomos*, where *nomos* implies the laws, customs, traditions, whether codified or not, that form the absolute foundation of Athenian society. And remember, Athenian *nomos* is never separable from Athenian religion. Upholding *nomos* always meant protecting the link between the gods and the State. Waterfield reckons matters as such:

I mean not just that religion pervaded [society] in the form of festivals, statues all over the city, and each individual’s daily private and public worship of the gods, but also that each individual’s worship was part of his duty as a citizen. By worshipping the gods according to *nomos*, the individual was keeping his community under the protection of the gods.<sup>83</sup>

So, the issue here, once again, is that Socrates, not unlike the *pharmakos*, represented a threat or a challenge to the divine link which keeps the community under divine protection, at least insofar as Socratic religion didn’t accord with *nomos*. That the three accusers had argued

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<sup>82</sup> Waterfield ed., *Xenophon: Conversations of Socrates*, 34.

<sup>83</sup> *Ibid.*, 35.

Socrates' relation to the divine challenged religious-*nomos* is also apparent from the second charge of the indictment—the accusation that Socrates' introduced “new spiritual things” (δαμόνιον καινός, 24c). Now, it's not explicit whether these spiritual things referred to foreign divinities (Pythagorean gods, as some have suggested), new gods of Socrates' own creation (as Vlastos suggests), or Socrates' “inner voice,” what we tend to call his *daimon* or “divine sign.” And again, it's unfortunate here that our knowledge of the historical prosecution is limited to the formal affidavit itself and reports of the trial that have been refracted through the lens of Socratic apologists. But despite the brilliance of his interpretation, it's doubtful that these “new spiritual things” referred, in the first instance, to Socrates' moral and benevolent gods, as Vlastos suggests. What seems most likely is that the “new spiritual things” were references to Socrates' inner voice—for both Plato's and Xenophon's accounts agree that Socrates attributed the second charge of the indictment to the fact that he believed the divine communicated with him personally. Now, how exactly does Socrates' inner voice challenge Athenian *nomos*?

Again Waterfield offers a compelling proposal:

We have seen that the *nomos* of State religion is founded on the belief that the good of the community is paramount. Socrates, however, was claiming not just to be specially favored by the gods (as opposed to being just one member of the citizen body), but also the communications he received were private and for his benefit alone.<sup>84</sup>

So, while the hallmark of Athenian religion and piety consisted in the concern for the protection of the State and not the individual alone, Socrates claims to have a sort of personal hotline to the divine, which is for the sake of *his own* protection. That Socrates' inner voice was not simply an eccentric, religious innovation but something of an outright affront to the people is more apparent in Xenophon's apology, where he notes the jury's outrage upon hearing Socrates explain the divine sign. “There was an uproar from the jurors at [Socrates'] speech,” Xenophon

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<sup>84</sup> Ibid., 35.

writes, “some of them didn’t believe what he was saying, while others were jealous that he might have had more from the gods than they.”<sup>85</sup>

Though it wasn’t explicitly prohibited, nothing in Athenian *nomos* really allows for this sort of private relation to the divine, especially if the demands of public religion were made secondary to personal, religious beliefs. And just as important as making public sacrifices and attending religious festivals—performing one’s civic duty by participating in Athens’s direct democracy was also central to upholding *nomos* and protecting the divine link. Yet, consider what Socrates has to say about his inner voice and public politics in the *Apology*:

I have a divine or a spiritual sign which Meletus has ridiculed in his deposition. This began when I was a child. It is a voice, and whenever it speaks it turns me away from something I am about to do, but it never encourages me to do anything. This is what has prevented me from taking a part in public affairs, and I think it was quite right to prevent me.<sup>86</sup>

That explicitly religious meaning was attached to these democratic functions is evident from the fact that before the gathering of the assembly a fresh pig was sacrificed to the gods and “carried around the circumference of the meeting place.”<sup>87</sup> So, even if he attended the public religious festivals, Socrates’ *private* link with the divine prevented him from fulfilling those political duties which, having their own religious significance, were expected of every “believing” citizen. To put it another way: according to Socrates himself, his “personal religion” prevented him from doing his necessary civic duties, duties which were not only political but religious, duties that played a part in maintaining the divine link, duties whose neglect indicated impiety. His was also a private religion. And in relating to the gods on this eccentric, personal level via his *daimon*, Socrates implicitly subverted the public concern for the well-being of the State that was paramount in Athenian religion. His private religion did not “*nomizen*” the gods; and, quite

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<sup>85</sup> Ibid., 44.

<sup>86</sup> Plato, *Apology*, 31d.

<sup>87</sup> Parker, *Miasma*, 21.

simply, it challenged a few very basic Athenian values and *nomoi* in no secretive or at all insignificant way. In light of this alone, the prosecution should not have had a difficult time making the case that Socrates was quite “un-Athenian” and a potential danger to the city, insofar as his religious invention offended the gods. At the very least, it would not have been difficult to make the case that Socrates, through unorthodox religious belief, had been privileging an unusual private religion above the public religion. And this religious non-conformism is in addition to his invention of morally benevolent, pseudo-Greek gods, a theme very likely present in the prosecution speeches even if the “Socratic gods” were not the primary referents of “δαμόνιον καινός.”

However, the prosecution needed more than a credible demonstration that Socrates was guilty of impiety or religious unorthodoxy. And again this is why, for us looking back on matters, the question of whether Socrates was guilty as charged is not at all the most significant question. Rather, what the prosecution needed—and what was especially needed for the “purification by trial” narrative which Thargelion 7<sup>th</sup> had put into play—was the demonstration of a credible connection between Socrates’ wrong-doing and the relatively recent social crises. Only by emphasizing Socrates’ connection to these crises can we account for the more important question having to do with “why now” Socrates had been brought to court after thirty years of philosophy and religious unorthodoxy.

Now, what we have to recognize in all this is that there was really no such thing as a non-contagious, religious danger in Athens. The logic of the prosecution, then, would have been to demonstrate that Socratic unorthodoxy was something of a contagion, something *miasmatic*—and that by “contaminating the polis” in this way Socrates was responsible for the social calamities. Enter the third charge of the indictment, the accusation that “Socrates does wrong by

corrupting the youth.” Here also, at least as Plato tells it, the prosecution explicitly appeals to the logic of sacrificial violence: namely, the belief that a *single* individual could be responsible for a collective calamity. On this, recall the argument between Socrates and Meletus regarding the former’s role as an educator:

**Socrates:** All the Athenians, it seems, make the young into fine good men, except me, and I alone corrupt them. Is that what you mean?

**Meletus:** That is most definitely what I mean.<sup>88</sup>

This exchange from the *Apology* is another subtle indication that the prosecution proceeded along the lines of a sacrificial narrative. Despite the absence of the sacrificial rites, Socrates was explicitly cast, according to Plato, as the *single* cause of a protracted, Athenian crisis—to wit: the political, religious, and moral “ruin” of Athenian youth. Moreover, considering that Socrates’ associates became some of Athens’ greatest enemies—think of Alcibiades’ defection to Sparta and the role of Critias and Charmides in the rule of the Thirty—the third charge of the indictment also connects Socrates to Athens’ military defeat, and all of its associated ills, and the tyranny of the 404 oligarchy.

So, understanding the significance of the third charge of the indictment requires that we be attentive to the “socratified youth”<sup>89</sup> within the context of Athenian crisis—and we have two sorts of crises in mind here: a political-military crisis and an educational crisis. First, there is everything we noted before at the close of the second chapter: all of the social and political misery that attended the last decade or so of the 5<sup>th</sup> century, the *loimos* of a lost war (the loss of Athenian wealth, glory, and supremacy, the Thirty’s bloody *ekkathairó*). The second sort of crisis here has to do with the waning authority of Athenian traditions, a decline that was precipitated by the intellectual or sophistical assault on *nomos* in the sphere of education and

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<sup>88</sup> Plato, *Apology*, 25a.

<sup>89</sup> In his “Birds,” Aristophanes refers to gang of pro-Spartan youth as “Socratified.”

morality. Now, in what immediately follows I address Socrates' involvement in these crises and try to demonstrate how easily he could have been cast as the contagion of these crises if not also their causes. By unpacking the third indictment with regard to this question of a "Socrates-induced crisis," we also have to consider the oft argued position that religious accusations were merely a screen for tacit political charges in the trial of Socrates. —First, we will take up Socrates' involvement in the crisis of *nomoi* and the rise of sophistry in education:

As Waterfield carefully puts it, up until the middle of the 5<sup>th</sup> century "*nomos*—one's parents and society—had been the teachers; but gradually (and peaking *c.* 420) professional teachers began to encroach."<sup>90</sup> So, the specific sort of crisis in mind when we say an "intellectual" assault on *nomos* has to do with a crisis of traditional, parental education. It is no surprise that in both Plato's and Xenophon's reports of the trial Meletus places a great deal of significance on parental education, and he likely targeted Socrates as a sophistical agitator during his prosecution speech. Consider Xenophon's account of the exchange between Socrates and Meletus, wherein the parental theme is brought to the fore.

**Socrates:** But do you still claim, Meletus, that I am corrupting the young by these practices? Now, we know, of course, what corruptions the young are liable to; so you tell me if you know of anyone who has stopped worshipping the gods because of me...or who has given in to any base indulgence because of me?

**Meletus:** No, but I most certainly know of those whom you have persuaded to listen to you rather than to their parents.

**Socrates:** I admit it, at least where education is concerned. People know that I have made a special study of the matter.<sup>91</sup>

Xenophon's Socrates readily concedes his view that the common Athenian parent is simply incapable of adequately teaching or training their children, particularly with regard to justice and virtue. Now, neither Socrates nor Plato would identify themselves as sophists—in fact, Plato's

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<sup>90</sup> Waterfield, *Xenophon: Conversations of Socrates*, 38.

<sup>91</sup> *Ibid.*, 45–46, put into dialogue form.

Socrates, unlike Xenophon's, refuses even to call himself a teacher. In the *Apology* (18d–20c) Socrates addresses the difference between what he does and what the “wise-men” do, but “this distinction,” as Waterfield cleverly frames it, “would have been regarded by most of his audience as mere hair-splitting, just as to non-initiates today a logical positivist and a Platonist would seem to share more similarities than differences.”<sup>92</sup>

For instance, whereas the sophists demonstrated the relativity of *nomoi*—and often taught the exploitation of that relativity for the sake of political and legal gain—Socrates demonstrated the inability of *nomos* to account for an ultimate *logos*, though never teaching the negation of the latter and making of virtue the persistence in trying to account for it (while Plato will make this persistence identical to *eros*). However, this distinction—coupled with what the Athenians would have seen as the irrelevant fact that Socrates didn't charge a fee—is simply too fine of a distinction; it does little to negate the broader similarity between sophistry and philosophy: namely, that both the sophist and the philosopher denied the absolute authority of *nomos*; and in this, the two may be lumped together. For most of Athens, philosophy and sophistry were two sides of the same coin, if not the same side of the same coin. They were the movers of a radical intellectual revolution that challenged the basic authority of Athenian traditions and usurped the role of parents as meaningful educators. Moreover, as far as Socrates is concerned, his was a revolution that also promoted a sort of dangerous and hitherto unseen ethical and religious individualism.

Socrates' mission was, in part, to make converts out of his fellows (and we might call this mission the “Socratic contagion”). Now, whatever else it might mean to say that Socrates trained individuals to think for themselves, the primary implication is that Socrates taught others to place the autonomy of individual reflection above the established authority of “King *Nomos*.”

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<sup>92</sup> Waterfield, *Why Socrates Died: Dispelling the Myths*, 11–12.

It seems Socrates made no secret of this either. So, just imagine the Athenian perspective when the Socratic pathology begins to take effect among the wealthy youth of the city—members of an upper class who are inherently feared by the larger public in times of political crisis. And unfortunately some of Socrates' young associates will become the worst traitors and tyrants Athens will ever know. For many Athenians, these young pupils-turned-traitors had simply followed the example set by the “no-charge sophist”—the man who de-privileged the communal link with the gods in favor of a personal religion, the man who scoffed at the democratic assembly and the democratic lottery, the man who elevated the authority of individual reason above traditional values and traditional education. Prosecuting Socrates for being perniciously non-conformist in religion and education, and for leading astray the (politically powerful) youth in these matters was for many Athenians the only sane way to proceed against the man. And, probably, for other Athenians in the main, the indictment against Socrates was tragically too late.

In any case, this gradual revolution in education had been a protracted malady for the conservative Athenian. And it was not his sophistical counterparts—the “wise-men” who collected a fee and taught privately—but rather Socrates who was the more visible revolutionary in matters of education, especially after the famous performance of Aristophanes' *Clouds*. There was little about Socrates' mission that was “underground.” The philosopher assaulted the authority of *nomos* in public, in the agora, in the gymnasium. He was constantly about it, and witnesses were not simply those who could afford a lesson. Therefore, it was Socrates who was the figurehead, or easily contrived to be, of the progressivism in education that can be identified as a particular dimension of Athenian social crisis.

In particular, Socratic philosophy propagated an orientation to religion and justice that was nothing if not hostile to the foundation of Athenian society, a society built on the view that

rightness and wrongness, piety and impiety, were State issues, not matters of private knowledge. And the perceived arrogance that animated Socrates' eccentric religious beliefs was mirrored in his eccentric moral beliefs. The problem, in short, was that Socrates, who elevated himself above public religion and above public education and trained others to do the same, had become more than an "arrogant eccentric." Within a time of political calamity, misfortune, and uncertainty, in a time when many Athenians were seeking religious purification—which is to say: seeking sacrificial victims—Socrates easily emerges as a public villain undermining communal religion and undermining traditional sites of moral authority and education. But more than this, he emerges as the "contagion" that had taken hold among a number of youth who, along with Socrates, began to challenge the age-old customs that linked a city with its gods. Here Socrates emerges as someone who sets the gods against the city by poisoning the community through non-traditional—that is, non-religious—education. If not specifically felt as *loimos*, this sort of intellectual and moral "progressivism" was nonetheless something of a prolonged, social crisis for conservative Athenians, and Socrates was easily cast as the prime instigator.

However, questions concerning Socrates' corruption of the youth and his role as a source of crisis are never so poignantly formulated as when they bear directly on the anti-democratic, political influence Socrates might have had on Alcibiades, Critias, Charmides and others who were loyal to Athens' oligarchic faction during the time of war. The presence of political motivations in Socrates' prosecution is a complex issue, but we do know that six years or so after the trial a speechwriter named Polycrates will publish a pamphlet—lost to us today—that directly accuses Socrates of sedition. And fifty years after the death of Socrates, the orator Aeschines will tell a jury: "you put Socrates the sophist to death because it was found out he

taught Critias, one of the Thirty who overthrew the democracy.” So, from these reports alone, we see that there is no little justification in those readings that maintain that Socrates’ conviction owed primarily to political and not religious factors.

There is even some indication that not only was Socrates a critic of democracy but also that he was perceived as disdainful of the Athenian middleclass. In the extant literature, there seems to be only one occasion where Socrates encourages a disciple to engage the democratic assembly, or to join in Athenian politics at all, and it’s described in the third book of Xenophon’s *Memorabilia*. Here we find a hint of that disdain just mentioned. Xenophon’s Socrates presses the reluctant Charmides—the same Charmides who will later join the Thirty—to enter into political life and begin debating in the assembly. Now, though he is described as having certain political skills, Xenophon also notes that Charmides has a fear of public speaking. And the future tyrant reminds Socrates that “humility and fear are part of human nature, and that they come out much more in public than in private gatherings.”<sup>93</sup> Stone’s widely read *The Trial of Socrates* of course pays special attention to the advice Socrates gives Charmides in return, and Stone argues that an “unmistakable social snobbery lurked behind Socrates’ scornful dismissal of Athenian democracy.”<sup>94</sup> On this, let’s consider Socrates’ response:

Yes, and I am anxious to show you something [Charmides]. You are neither over-awed by the cleverest people nor afraid of the most powerful, and yet you are too modest to speak in front of the silliest and weakest. Whom are you shy of? The Fullers or the shoe-makers or the carpenters or the smiths or the farmers or the merchants or the dealers in the agora, whose business it is to buy at a cheaper rate and sell at a dearer one? For all these people go to make up the assembly.<sup>95</sup>

Socrates goes on:

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<sup>93</sup> Xenophon, *Memoirs of Socrates*, 157.

<sup>94</sup> I.F. Stone, *The Trial of Socrates*, 117.

<sup>95</sup> Xenophon, *Memoirs of Socrates*, 157.

You are far better qualified than the professional politicians; yet you shrink from speaking in front of people who have never troubled their heads about politics.<sup>96</sup>

Socrates, almost off hand, equates these professions with the “silly” and the “weak” and the unthoughtful. Yet, were not the common folk “troubling their heads about politics” by taking time off from their occupations to debate in the assembly?—occupations that Socrates, here, almost seems to consider vulgar. In his version of Socrates’ apology, Xenophon also reports that Socrates attacked Anytus’s leather tanning business as servile and base.<sup>97</sup> That in discussing the virtue of political debate Socrates might have placed such emphasis on class distinctions and “low” occupations reveals a sort of social prejudice on the part of the philosopher that is difficult to sit with—at least inasmuch as we want to hold onto the myth about Socrates’ unprecedented virtue. There is this tendency to conceive of Socrates’ anti-democratic sensibilities as having to do with little more than his rejection of a government that consisted in the uneducated masses being directed by the morally bankrupt. Yet, this is doubtful the whole story of “Socrates the anti-democrat.” We know well of his general criticism of the lottery, his belief that only experts should rule, but if the historical Socrates also disparaged and ridiculed the middle class and their occupations, and if this sort of aristocratic derision animated his stance against democracy, then we can be sure that these social prejudices would not have been far from the mind of many middleclass judges (including the accusers) at Socrates’ trial; and we’re a little more sympathetic to the judges in light of this. Now, even if this social prejudice—which shows up much less in Plato—is more “Xenophon” than it is “Socrates,” which is quite possible, the fact that the historical Socrates associated at all with the young oligarchs was damaging enough for his day in court.

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<sup>96</sup> Ibid.

<sup>97</sup> See Xenophon, *Socrates’ Defense*, 48–49.

And in terms of the political and military crisis that formed some of the context behind the third charge of the indictment against Socrates—we have to remember that the Thirty, led by Socrates' former associates Critias and Charmides, killed more Athenians in eight months than the Peloponnesians did in ten years of war.<sup>98</sup> And the animosity toward Socrates that certainly lingered in the hearts of many Athenians must be seen for what it is—understandable. As such we simply have to give up the myth of “Socratic saintliness.” Indeed, that Socrates did not raise a finger against the Thirty, that Socrates remained in the city with the selected three thousand undemocratic citizens instead of joining his future accuser Anytus in the resistance movement, that Socrates, despite his moral bragging on the issue, did not attempt to warn or save the life of an innocent Leon of Salamis, that Socrates may have been slanderous not only of the democratic lottery, but also the middle class and middle class occupations—all of these factors should put to rest, for good, any tendency to hold onto the naiveté of Socratic piety, the apolitical and naive belief that he was simply a “martyr for philosophy,” or a martyr for free speech.

Now, to the extent that political accusations were at play in the historical prosecution—it would have been primarily the democrat Anytus who would have called on these political associations and political leanings as evidence of Socrates' sedition and corruption of the youth. But again, like so many other specifics, we don't know whether Socrates' political associations were made explicit fodder for prosecution speeches. Whether, and to what extent, they were primarily political reasons, and not religious factors, that were responsible for Socrates' conviction is an ongoing debate in the literature. And whether or not it was explicitly mentioned by the historical prosecution, Socrates had a well-known relationship—if not love affair—with Alcibiades who was largely held to be responsible for the loss of the war. When we take this into consideration, alongside the fact of Socrates' relationship with Critias, it's not difficult to

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<sup>98</sup> According to prominent Athenian democrat and orator Cleocritus.

see how the charge of corrupting the youth was implicitly wound up in the military, political, and social tribulations that followed the loss of the Peloponnesian War. We can be certain that many Athenians would have seen Socrates as a friend and teacher of political traitors and political murderers and that this was more than a little bit at play in the conviction.

Now, in order to account for why Socrates was formally indicted for impiety instead of sedition, many scholars—those who hold that Socrates' indictment owed, primarily, to his oligarchic associations—refer to the general Amnesty of 403, and argue that the religious charges functioned, more or less (depending on the scholar), as a screen for tacit, political accusations. The Amnesty (of which Anytus himself was a proponent) prevented enemies or supporters of the Thirty from being prosecuted after the civil war. In fact, no Athenian could be charged with any crime, save homicide, that had taken place before 403. This was an attempt to restore harmony in the city after eight months of bloodshed.

However, while the Amnesty would have prevented Socrates from being prosecuted for alleged acts of sedition that occurred prior to 403—like teaching politically subversive doctrines to Critias and Charmides—there was no reason why Socrates could not have been charged with seditious crimes alleged to have been committed presently or at any time after 403. At least this is the argument we tend to find in much of the scholarship that emphasizes the religious reasons for Socrates' conviction: here is Brickhouse and Smith, critics of the political interpretation, on the issue:

And if this charge [of seditious activity occurring after 403] was brought before a jury, then any evidence of crimes committed before the Amnesty could be introduced in court, as showing a continuing pattern (that is, before and after the Amnesty) of seditious activity. If Socrates was widely regarded as an enemy of the democracy, as he seems to have been portrayed in Polycrates' speech, then the strategy we have just sketched would seem to be the obvious way of prosecuting

him. So, reference to the Amnesty of 403/402 in no way explains why Socrates was charged with a religious crime, rather than a political crime.<sup>99</sup>

I think Brickhouse and Smith offer a fine objection to the *primacy* of the political factors in the trial of Socrates—but it is worthless to suggest that the political factors were of such limited importance that they might very well be ignored. And this, more or less, is what we find in their work on the trial. They bring up the political in either one of two ways: to deflate, utterly, its significance for contemporary interpretations of Socrates’ trial or to touch on its very limited significance to the actual *dikasts*, arguing that we have no reason to believe that the political accusations were not, more or less, exclusive to Polycrates’ pamphlet. As such, Brickhouse and Smith make the “main issue...whether or not Socrates’ own religious views and practices were sufficiently unorthodox as to make a charge of impiety a plausible one.”<sup>100</sup> I have already suggested (twice before now) why I think this sort of approach—one that neglects the question of Socrates’ connection to an Athenian political crisis—is simply wrong-headed. Waterfield is also quite critical of the “fundamentally flawed”<sup>101</sup> approach offered by Smith, Brickhouse, and others. Waterfield argues that

they [Brickhouse and Smith] display a certain lack of historical awareness. This shows above all in their denial that there was any political subtext to the trial...to deny, as they do, that the charges against Socrates were political in nature is to ignore what we know about the Athenian legal system in general and about other impiety trials in particular.<sup>102</sup>

Even if they were not primary for the prosecutors or the *dikasts*, the political angle was certainly still at play, even if on the level of “subtext,” in the trial and death of Socrates; the political factors simply cannot be dismissed. And it hardly sheds light on anything to argue out

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<sup>99</sup> Thomas C. Brickhouse and Nicholas D. Smith eds., *The Trial and Execution of Socrates* (Oxford: Oxford University Press, 2001), 8.

<sup>100</sup> *Ibid.*

<sup>101</sup> Robin Waterfield, “Xenophon on Socrates’ Trial and Death,” in *Xenophon: Ethical Principles and Historical Enquiry*, eds. Fiona Hobden and Christopher Tuplin (Leiden: Brill, 2012), 277.

<sup>102</sup> *Ibid.*, 278.

the question in terms of whether or not Socrates “religious views and practices were sufficiently unorthodox as to make a charge of impiety a plausible.” Socrates, close to death at seventy years of age, was brought to court on the heels of widespread Athenian crisis—and he would have not been brought to court otherwise, despite how “plausible” his impiety.

And the question of Socrates’ connection to a relatively recent widespread Athenian crisis is most clearly articulated in political terms. And not only did Socrates’ association with Alcibiades, Critias and Charmides, as well as his admiration of Spartan government,<sup>103</sup> draw toward the philosopher a great revenge impulse from crisis-laden Athens, but his questionable associations went to work for the narrative that Socrates was the single individual responsible for a *loimos*-crisis. For—according to the sacrificial narrative that I argue hung over the trial—had Socrates not singlehandedly poisoned the minds of the aristocratic youth, teaching them to distrust the authority of *nomos*, teaching them to scoff at democracy and the middleclass, then Alcibiades would have never defected to the Spartans, and the Athenians would not have lost the war; for those on the “side of the god” don’t lose wars. And had Socrates not, likewise, corrupted Critias and Charmides, then they would have never seized power in Athens and slaughtered thousands—for unless they are wildly offended, patron gods don’t allow their servants to be murdered by thousands in the streets, at least according to this sacrificial narrative. And according to this sacrificial logic—no matter how explicit or implicit the narrative was promoted by the prosecution—Socrates was singly responsible for the crisis, inasmuch as the Socratic malady festering for years had taken hold of the aristocratic youth, alienated the gods, and bore a *loimos* for the community: a series of military, political, and social crises enacted by the Socratic, anti-democratic pupils.

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<sup>103</sup> See the *Crito*, 53a

Yet, in all of this we also cannot ignore the religious factors either, as though they were little more than the “screen” for outlawed political charges. Only if Socrates’ politics were coupled with un-Athenian religion might he emerge not simply as an enemy to the democracy, but an enemy to the gods—and thus a *loimos* source. What’s more, and what we have endeavored to demonstrate in examining the indictment, is that a) the religious charge of impiety was credible and b) the felt political animosity on the behalf of many Athenians was very likely legitimate. Without such credibility and legitimacy, a community could hardly turn against one of its own in an effort to cast, mistakenly, a single person for a social crisis. And again, this “single victim” / “single cause” thinking is the central mark of the sort of logic to which sacrificial violence appeals. The case against Socrates was an expression of sacrificial thinking, which cannot be adequately addressed by the proponents of either the “religious” or the “political” interpretations of the trial against Socrates.

But that a scapegoat might have been successfully plucked from within the community (unlike the *pharmakos*) I think it would be quite necessary that the victim were far from innocent—that is to say, credibly guilty—in the eyes of the community. Since the credibility of Socrates’ guilt, his impiety, is primarily what we have argued for in the first half of the present chapter, what follows is an attempt to bring more clearly, more forcefully, into view the image of Socrates that would have been cast by crisis-laden Athens, circa 399. And in an attempt to view Socrates through the Athenian perspective, I offer below a version of some of the possible arguments and accusations that we could have expected to find in that famous trial on Thargelion 7, presented here as sections from Meletus’s prosecution speech. We can assume that his was a speech not a little overblown with theatrics. And though certainly mentioned by Meletus, the charges of political corruption and political conspiracy were primarily left to Anytus and

Lycon—they are included here nonetheless to give an overall picture of the sacrificial narrative upon which Plato will elaborate in the *Apology*. My recreated speech is intended to help us consider how exactly a common, “victimized” Athenian, coming off the throes of crisis and seeking purification, might have been asked to view Socrates:

—Fellow Athenians, I will not take up much more of your time, for Anytus and Lycon are also to speak.

Today we are still in festival to Apollo, the second day of purification and renewal. Yesterday, we scoured what we could by sending away the vulgar anathemas, but every pollution has a source. Men of Athens, Socrates of Alopece is that source. He is the most pestilential of all those “wise-men” at work in our once great city.

There is still much for our city to renew. Our democracy is now just three years restored from the abomination and the villainy of the oligarchy. As you all know, the man sitting before you was teacher and friend to some of those Thirty including, and especially, their vile, atheist leader Critias. No sophisticated trick Socrates might conjure can change *that* fact, gentlemen. In corrupting our young, Socrates produces tyrants for our city. This has been his gift to Athens. And by Zeus, we cannot stand idly by and let this spiteful man train up a few more. For, as some of you know, even today numbering among Socrates’ pupils is Critias’ own nephew!

Do not be misled, men of the jury, our city is not yet free from the grave threat posed by the “socratified” youth. And though Socrates may have plots in wait, we know, as our poet tells us, “An evil planned harms the plotter most.”

Gentlemen, what can I tell you about this man that you haven’t seen for yourselves? You know too well how Socrates operates. He is a spell-binder and leach who gathers around himself a little cabal of weird and effeminate young men and then, for their enjoyment, latches onto one of our citizens and sets to upbraid and riddle them about the right and the wrong. He sets to shame citizens, like you, publicly because—why?—you haven’t been trained in the art of rhetoric and sophistry?

Socrates prides himself on instructing Athens on its ignorance, but it is time now that we give Socrates an instruction in the truth. And it is not a lesson he is bound to like.

Far from honoring and recognizing the city’s gods, Socrates preaches against our religion. And you know I speak the truth, gentlemen. He mocks the noble poets and the sacred histories that have educated our children. He denies the values and

the traditions that have nursed this city to greatness. He scoffs at the rites and the festivals that curry our favor with the gods. And worst of all, gentlemen, he encourages our young men to do the same! It is no surprise that the Socratified Alcibiades desecrated our herms, mocked our mysteries, and aided the Spartans against us.

Few of you here have not had the misfortune of crossing paths with this treacherous man in our marketplace. You have heard Socrates deride our lottery as useless. You have heard him deride our council members as inept. You have heard him deride the middleclass as vulgar. And you have seen him teach such derision to his pupils. It is no surprise that the Socratified Critias and Charmides became such monsters!

This is the truth gentlemen, by the gods. I tell you, if he could, Socrates would have the city sever its bond with the divine. He would strip away your political rights and your civic duties. And he would outlaw your religious practices and forbid you to teach your children. Socrates would have that Athens become a child of Sparta, but ruled by a small, irreligious gaggle of elitist pederasts, immoral sophists, and science fetishists. He would, out of spite and arrogance, take away all your power and give the city back to its foes——his friends!

Now, you have also heard of Socrates' profound arrogance in matters concerning daimonion. He says the gods speak to him directly. What gods? –I ask. Gentlemen, whatever new-fangled divinity it is that communicates with Socrates, I promise you it is no god recognized by the city. I promise you also that they were not our gods who instructed Socrates to neglect his profession and civic responsibilities and spend his time instead stalking the palaestra ogling boys' bodies and teaching them to hate the city and its people.

Socrates' "religion" is for his benefit alone, and whatever absurd communion Socrates fancies that he has with the divine, he has placed his religion, and his personal welfare, above the city's religion and the city's welfare. His is a hubris that should remain a pollution where it is and not pollute any further.

You have heard him deny that the eudaimonia of our polis depends on the pleasure and honor we pay to the Patron. There are even reports of Socrates saying, in this extreme hubris, that the gods are restrained by mortal laws and obliged to a human notion of justice. You see, gentlemen, he has no fear of immortal Zeus. Yet, he would have Athens worship spiritual things as docile and weak-kneed as slave-women, gods who lack the power and manly virtue to punish and reward cities. We do wrong by the gods if we fail to find Socrates guilty. I tell you, we have already done wrong by the gods in waiting so long to deal with this pollution. And we have suffered the consequences.

But we all know that without the favor of the gods Athens is but a shambles and a morass of disorder. Consider our recent crises and military defeats. The gods

have abandoned us, men of Athens. And why? They are ill-pleased with the canker we let fester in the heart of our city. Socrates is this canker. Recall, again, the words of the great Hesiod: “often a whole community together suffers as a consequence of one bad man.”

But not only has Socrates driven a wedge between the city and its gods, he drives a wedge between fathers and their sons. Yet, it is not our god who instructs Socrates to declare Athenian parents incompetent to teach their children right and wrong. You have heard him preach such incompetence! Socrates encourages young men to elevate themselves above their uneducated fathers, not unlike Socrates has elevated himself above the city. He is your villain and no true citizen.

We’ve suffered two coups in ten years. Are we to sit back and wait for the next one? Are we to give license to this “wise-man” that he might go on producing, for the city, fresh tyrants? Are we to give license to Socrates that he might, for us, *despise* the city. By the gods, gentlemen, young men don’t just wake up one morning and decide to become traitors! There has to be a reason, and you’re looking at him!

To acquit Socrates now would be to nourish against the city the cockle of rebellion and foreign religion—tyranny and divine scorn! He has been a plague for too long. The man invites a wrath with each word he coughs forward against our traditions—so, let us finally spit him out of our city. There will be no remedy for us until then.

Now, before I turn matters over to our heroes Anytus and Lycon, I urge you to be on guard against Socrates’ accomplished speech. As soon as he opens his mouth, he will do his usual violence to straightforward thinking and tie all of your arguments against him into “philosophical” knots. So, I ask that you armor yourselves by considering the duty of a dikast. You men were all, just like our council members, selected by lot. So you are a representation of our polis, of our democracy. It is the primary duty of a dikast, just as it is the duty of a council member, to protect this democracy from the impiety that would bring our city low. I am certain that you have seen, as I have, that Socrates, *alone*, has brought our city low.<sup>104</sup>

### **A SACRIFICIAL OBJECT, SOCRATES’ MEGALEGORIA, AND PLATO’S PHARMAKOS**

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<sup>104</sup> The line “Young men don’t just wake up one morning and decide to become traitors” is taken from Andrew D Irvine, *Socrates on Trial: A Play Based on Aristophanes’ Clouds and Plato’s Apology, Crito, and Phaedo Adapted for Modern Performance* (Toronto: University of Toronto Press, 2008), 90. Waterfield creates a powerful rendition of Anytus’s prosecution speech—in *Why Socrates Died: Dispelling the Myths*—which has inspired me to create a version of Meletus’s speech here. Waterfield has Anytus both quote Hesiod and attack the lisping, effeminate cabal that follows Socrates. I borrowed that here, as well. Having the prosecution attacking pederasty and effeminacy captures the “machismo” belonging to a traditional conception of areté and hints at a middleclass distrust of the more aristocratic cultural practice of pederasty in Classical Athens.

To expound on some of the conclusions we've reached so far. —Neither the political interpretation by itself (the narrative that Socrates was put to death primarily because of his political associations) nor the religious interpretation by itself (the narrative that Socrates was put to death primarily for unorthodox and “contagious” religious behavior) are capable of rendering clear the complete significance of Socrates' trial and execution. However, neither will it suffice simply to synthesize or otherwise combine the two interpretations, as plenty of others have done. In convicting Socrates, the Athenians were responding to a prolonged social crisis, and they were responding in accordance with an ingrained sacrificial logic—a logic that was in part engendered and over-nurtured by *miasma* concerns and Thargelion rituals; and all this must be at the forefront of any historically minded interpretation of the trial. I am quite convinced that most studies on the trial of Socrates would reach similar conclusions were they to be the slightest bit attentive to the enormously significant trial-date. I propose that the “scapegoat” interpretation can function as a basis for both the religious and political readings of the trial. But under this reading of matters, we are inclined to evaluate not simply the “trial of Socrates” but also—the “sacrifice of Socrates.” What's primary in this reading is the question of communal crisis and communal redemption, not simply “crime and punishment.” That is to say, what's central here is the *loimos* for which Socrates was perceived to be both cause and (upon death) cure.

The “religious interpretations” (offered by Brickhouse, Smith and others) simply do not address the question of historical, political crisis, and those readings are mostly impotent for that reason. At the same time, while the “political interpretations” may connect Socrates' trial to the primary node of an Athenian crisis—the loss of the war, the rise of oligarchs—these readings do not reveal the extent to which Socrates was a serious, religious danger whose death or exile would have amounted to a collective *katharmos*. And knowing what we do about Athenian

religion, we can be quite certain of the following: Within the turbulent aftermath of the Peloponnesian war, during this time of unprecedented social misery, it's very likely that Athens's communal psyche, nourished for centuries on scapegoating violence, sacrificial logic, and *miasma* fears, would have been desirous of securing a divine reconciliation and discharging a purification impulse—even if that impulse was at bottom (or at least mingled with) a long-stifled revenge impulse. The conviction of Socrates was primarily an expression of this impulse; and in this sense, Socrates was, uniquely, cast as a sacrificial object.

*Socrates' Megalegoria*: To account fully for the fact that he received the death sentence, however, we have to consider something else: namely, Socrates' *megalegoria*. Now, there are not a few scholars who argue, like Eduard Zeller back in the second half of the 19<sup>th</sup> century, that “the majority of the judges would most unmistakably have been disposed to pronounce [Socrates] innocent, had not the proud bearing of the accused brought him into collision with the members of the popular tribunal.”<sup>105</sup> And this interpretation that Socrates' courtroom arrogance urged his own conviction bespeaks Xenophon's reckoning of matters. In his representation of the trial, Xenophon suggests that his provocation of the jury owed to the fact that, at seventy years of age, Socrates simply preferred a painless execution to the alternatives offered by old age. For Xenophon, only this fact could account for Socrates' manifest pomposity, as it were.

And he opens his *Defense* with that explanation:

Now, others have written about the trial, and they have all touched upon his arrogant tone [*megalegoria*]; so it is clear that this is how Socrates actually spoke. But what they didn't make clear—and without it the arrogance of his tone is bound to appear rather foolish—is this: he had already decided that for him death was preferable to life.<sup>106</sup>

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<sup>105</sup> Eduard Zeller, “The Arrogant Defendant: The Issue of Contempt of Court,” in *The State Versus Socrates*, 93.

<sup>106</sup> Xenophon, *Socrates' Defense*, 41.

So, in Xenophon's version of events, Socrates prefers an execution over an acquittal in order to free himself from a death made burdensome by old age, illness, and senility especially. Now Socrates certainly thought highly of himself—to say the least. And in the *Defense*, Socrates confides in Hermogenes: “If my years are prolonged, I am sure that I will have to pay the penalties of old age....and if revealing the opinion I have of myself annoys the jurors, then I will be choosing to die rather than to remain alive.”<sup>107</sup> On this account, Socrates came to court intending to die. And if Xenophon is right, the Socratic *megalegoria* functioned, primarily, to facilitate what we might call Socrates' “assisted suicide.” Equally important here, as Xenophon notes, is that Socrates' divine sign never opposed the course he had chosen for himself, evidence that his “suicide” was as much the god's will as it was his own. And this is an important aspect for us to remember; for the role of the god in approving, if not willing, the events of the trial will also be significant when we turn to the sacrificial narrative that Plato promotes in his *Apology*.

Now, the first instance of this “pompous talk” comes when Socrates recounts Chaerephon's journey to the Delphic oracle. The story is not very dissimilar from what we read in the *Apology*, save the important difference that Xenophon's version lacks the clever, Socratic irony that we find in Plato's. As Xenophon tells it, Apollo's priestess named Socrates not the wisest, but “the most free, upright and prudent of all people,” and Socrates readily accepts the praise, not for a moment thinking it a riddle.<sup>108</sup> Following this, there are a few other instances of Socratic *megalegoria* in Xenophon's *Defense* (itself quite a short work): Socrates claims that he had a private, direct link with the divine; as we noted earlier, this infuriated the jury (43). Socrates says that, according to the god, he by far outshone the rest of mankind (44). Socrates also believes that he deserves “congratulations” from gods and men alike (45). And he claims to

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<sup>107</sup> Ibid., 42–43.

<sup>108</sup> Ibid., 44.

bring the greatest benefit to anyone who associates with him (47). At the close of his *Defense* Xenophon will once more touch on the purpose of all this big talk: “Socrates was so arrogant in court that he invited the jurors’ ill-will and more or less forced them to condemn him...His fortitude was obvious: since he had decided that death was better for him than further life.”<sup>109</sup>

Whereas Xenophon bookends the *Defense* with his own musings on Socrates’ speech and demeanor, Plato never includes his own voice in his presentation of the trial. Nonetheless, Plato certainly represents the Socratic *megalegoria* that forced a conviction, and the relevant examples from the *Apology* are even more salient than those provided by Xenophon. In fact, as Waterfield points out, Plato’s Socrates even uses the term at one point, when he asks his jury not to be unruly and interrupt him if he *mega legei* (20e). Now, there are a handful of instances where the Socratic hubris is firing on all cylinders, and we’ll recount some of these in a moment. But there is also the general, “*megalegoric*” tone of the *Apology* as a whole, and this, in turn, resonates with the “morally elite” Socrates we often find in Plato’s other dialogues. Again, though for the last time, we’ll turn to Waterfield for an excellent description of matters:

[In the *Apology*] Socrates comes across as a man of principle who finds to his dismay that others are nowhere near as high-minded as he. He undertakes a mission to try to get others to see the errors of their ways—which is, of course, to assume that he knows best what is good for them....The supposedly ignorant man claimed superior human wisdom, the unpolitical man purported to be most beneficial to the polis, the allegedly impious man claimed to be the most pious, the accused corrupter of the youth presented himself as their only improver, and the man of apparently unheroic stature elevated himself to a hero.<sup>110</sup>

This Socratic *megalegoria* is at times not unlike an expression of Nietzsche’s “pathos of distance.” And that Socrates had felt himself elevated *above* the common Athenians who will one day put him to death is clearly represented by Plato in the *Gorgias*, where Socrates will again *mega legei* about his trial. Here, Plato has Socrates promise that he “will be judged the

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<sup>109</sup> Ibid., 49.

<sup>110</sup> Robin Waterfield, “Xenophon on Socrates’ Trial and Death,” 274.

way a doctor would be judged by a jury of children if a pastry chef were to bring accusations against him.”<sup>111</sup> The “jury of children” metaphor here—and “conceit” may be the more appropriate literary term, if not simply for the sake of pun—appears to be totally unnecessary, for could Socrates (Plato) not have gotten his meaning across in less patronizing a style? Well, yes and no. This is because the conceit, as I read it, functions to illustrate two ideas: First, that Socrates knew his trial would be a farce, that he would be easily convicted, that he knew the common Athenian was, like a child, utterly incapable of distinguishing between what was merely pleasurable (riches, reputation, superficial religious practices, the “pastries”) and what was actually good for him (a healthy soul, self-knowledge, moral training, and all those things intended by Socratic, “therapeutic” philosophy);<sup>112</sup> But, secondly, this conceit or metaphor was also intended to illustrate that Socrates had felt such a profound distance between himself and the “rabble,” regarding, we might say, their conception of or sensitivity to true *eudaimonia*, that Socrates had in turn understood his relation to the average Athenian not as the relation between equals, nor even simply as a relation between “physician and layman,” but as the much more unequal relation between physician and *child*.

Now, these sort of *megalegoric* claims—Socrates’ arguing that he was the wisest in Greece, a physician among children, a god’s gift to the city, one of the only Athenians to ever truly practice politics—they don’t always ring false, especially in light of the moral and intellectual inadequacies of Athenian politics and religion, institutions that Socrates sets himself against. So, inasmuch as a philosopher can be arrogant without being pretentious, nothing

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<sup>111</sup> Plato, *Gorgias*, 521e.

<sup>112</sup> More precisely, the metaphor implies that: refusing a medical prescription, on the basis that submitting means avoiding one’s favorite snack and drink, would be ruinous to the body; likewise refusing the “Socratic therapy”—a purging of false beliefs that promotes self-knowledge and moral-knowledge—on the basis that accepting would mean avoiding one’s superficial pleasures, would sacrifice the health of the soul. Athenian orators and politicians are, here, the pastry chefs who simply flatter the *polis* like children by promoting appetites that are, meanwhile, destructive to the health of the soul, much like too much snack is bad for the body. Up against such orators, and such children, Socrates knows the way his trial will go.

outright precludes this *megalegoria* from being sincere, a sort of “*aletheia-legoria*” (a “truth-telling”). And I think it’s no secret that the Socratic *megalegoria* resonates with the sort of heroic, bigger than life figure that Socrates strikes, or is made to strike by Plato. And indeed, after Plato was done with him, Socrates became without a doubt one of the most consequential and exceptional human beings in history. While the man was a public figure for just the latter half of the 5<sup>th</sup> century, Socrates’ influence reverberated throughout the next twenty-five. Brilliant, eccentric, perhaps even something of an “*Übermensch*”—Socrates of Alopece flashes across the sky of world history like a meteor. Setting off Plato and others in turn, this flash has captivated generation after generation, century after century; the admiration of Socrates rivals that of Jesus, Buddha, and Confucius.

And because of all this, it seems impossible not to take Plato at his word, difficult not to stand with him, to *some* extent, when in the Seventh Letter he writes to a few friends that he would “not hesitate to call Socrates the justest man of that time.”<sup>113</sup> We go along with Plato, and believe—perhaps rightly so—that whereas Athenian tradition had sentenced its people to an unreflective, unhappy life, Socrates had sort of ostensibly enacted a more profound conception of virtue: the paradigmatic philosophical existence. And in a very real sense, the Socratic “turn inward” demonstrated the contrast between what life presently was for Athenians and what it could be: the good life—a life where *areté* consisted not in outward exploits and accomplishments, as the sophists taught, but rather in the inward, moral purification of the self. Socrates makes the happy life synonymous with the moral life. It is at once both an exceptional and somehow impossible premise that Socrates enacted in his own life—and we adore him for it.

Yet, the historical love affair with Socrates casts its shadow over the *Apology*. And for the reader this facilitates these sort of mythical blinders, such that the pre-understanding of a

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<sup>113</sup> Plato, “The Seventh Letter,” 324e.

heroic “martyred Socrates” tends to prevent the equally present, yet far less attractive, arrogant “derisive Socrates” from coming to the fore of the *Apology*. But even if we take pause at these moments when Socrates’ “big talk” spills over into contempt, we tend to consider it as the harmless wit of a comical-ironist: “Oh, it’s just the noble Socrates just steaming off a little righteous indignation,” we might say. In fact, these historical blinders—this prejudice always in Socrates’ favor—have prefigured matters such that both the seasoned philosopher and the non-initiate alike approach Plato’s *Apology* in a way that simply does not allow the sheer hostility and provocation of Socrates’ *megalegoria*, which Plato has clearly represented for us, to come into relief. And it would not have been his eloquence (which we must attribute to Plato) but rather Socrates’ vitriol that made the trial so immediately sensational in the city of Athens.<sup>114</sup> Just consider, again, that his inflammatory speech reached such a pitch that Xenophon can only explain it by arguing that Socrates must have had a death-wish.

Now, turning to these instances in the *Apology* where Socrates’ *megalegoria* is not simply self-glorifying but entwines with disdain for his fellows in court, we immediately take notice that these instances are particularly political in character, and they tend to take aim at the *dikasts*, the prosecutors, and the democracy alike. Perhaps the first instance is Socrates’ belief that he will be undone not by Anytus and Meletus but by the slanders and the envy of the many (28a–b). Here, Socrates adds himself to a long list of just men who were shamefully convicted at the hands of the unjust. Socrates believes the Athenian mobocracy “destroyed many other good men and will...continue to do so.” “There is no danger,” he adds, “that it will stop with me.”<sup>115</sup> Socrates makes his feelings on this clear throughout his speech, arguing on several occasions that any good man, such as himself, who took part in democratic politics would certainly be put to

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<sup>114</sup> This is a point Waterfield makes. And Aristophanes also calls attention to Socrates’ great arrogance in the *Clouds*, where he also portrays a Socrates that teaches this arrogance to young men.

<sup>115</sup> Plato, *Apology*, 28b.

death by the city (31d–e, 32e, 35b–c). After the votes were cast, but before a penalty was assessed, Socrates—perhaps at his most insulting—tells the *dikasts*, very frankly, that he’s surprised that so many actually voted to acquit him (36a). Again, this is the “heroic” Socrates letting the common Athenian know, in no uncertain terms, just how little he actually thinks of their capacity for justice; he wants Athens to understand just how outright surprised he is that his fellows, and Athens’ legal system, might actually come close to working in the favor of the innocent (36a).

More instances of the *megalegoria*: Socrates directly opposes, or promises to oppose, the will of the jury if they were to acquit him on the condition that he cease doing philosophy (29d). In his elenchus with Meletus concerning educators (24e–25c), Socrates’ reveals that it is in fact the democratic traditions and values that corrupt the young, maintaining that he is their only improver. He accuses the *dikasts* of only acquitting men who flatter and supplicate them with tears and spectacle (38d–e). Socrates outrageously proposes, as his counter penalty, that he be put up and fed at public expense in the Prytaneum (36d–e). He urges that in fact it is his accusers that are the atheists and that he has a far greater understanding of piety than they (35d). Socrates shames the “many” by arguing that the common Athenian has shallow and superficial values, that they are too oblivious to be capable of knowing when they are actually happy (36b–e). Socrates again has to request his jury not to make a ruckus before he proclaims that he is simply *superior* to Anytus and Meletus and that it would be impossible for the jury or the prosecutors to harm a man who is, frankly, better than they are (30d). As our last example—and we might find more—we can imagine how infuriated the *dikasts* would have grown when, after all of this, Socrates promises his judges that he is mounting his defense not on his own behalf, but on theirs (30d)—as Socrates puts it: his defense intends

“to prevent you from wrongdoing by mistreating the god’s gift to you by condemning me; for if you kill me, you will not easily find another like me. I was attached to this city by the god.”<sup>116</sup>

It should also be noted that whenever Socrates speaks to the *dikasts*, he addresses not the “gentlemen of the jury,” (as Meletus does, 26d), but rather he addresses the “men of Athens.” This is partly because Socrates, as he says near the end of the text (40a), hardly thinks these men deserve the title of a *dikast*; but there is something more significant at play: “men of Athens” is something of a metonym here for the Athenian democracy. Recall that jurors were selected by lot and that a *dikast* was designed to be a representation of the democracy, in order that he might protect its interests. Thus, whenever Socrates makes use of the metonym, we can be sure he is addressing the partisans of the democracy as much as he is addressing his actual jurors. And on this note, it’s of special importance to recall what Socrates said of Chaerephon: “he shared your exile and your return.”<sup>117</sup> The reference is to the rule of the Thirty when many democrats were forced into exile. The significance here is that even from the outset of his defense (when he tells this “oracle anecdote”), Socrates establishes this diametrical opposition between himself and his jury, between himself and his accusers, between himself and the democracy: *your exile*, he says, *your return*, not mine.

Now, just as Xenophon states that Socrates’ “big talk” invited a conviction, Plato’s many instances of Socratic arrogance paint a picture of a defendant who is also guaranteeing his own death. But because it is less self-glorifying and more caustic, Socrates’ “suicidal *megalegoria*” in the *Apology* appears to be not so much an attempt to escape from the penalties of old age but more like an attempt to bring about a deadly conflict between Socrates and Athens. If we consider this in terms of the sacrificial narrative—that this was “purification by trial”—then a

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<sup>116</sup> Ibid., 30d–e.

<sup>117</sup> Ibid., 21a.

“willing scapegoat” reading comes to the fore of things. What we find in the *Apology* is that Plato riddles the text with symbolism directly associated with the archetypal Greek scapegoat—the Thargelion *pharmakos*.

## CONCLUSION

*Plato's Pharmakos*: What follows is the concluding section of the project. Here, I want to demonstrate how Socrates' adoption of the archetypal *pharmakos* identity—working in tandem with *megalegoria*—instigates “contradictory purifications.”<sup>118</sup> So, if much of what has been discussed in the second chapter is correct, then the trial Plato is accounting for in his *Apology* was a trial that proceeded by way of a sacrificial logic, wherein a single individual was made responsible for a social crisis, such that his exile or death will be tantamount to a communal *katharmos*. By casting Socrates as a willing scapegoat, Plato turns the sacrificial narrative on its head, by way of creating mutually oppositional, sacrificial narratives. Having Socrates co-opt his own “purification by trial,” the *Apology* functions as a site of contradictory purifications, one enacted by the polis, the other by Socrates.

Now, it's quite difficult to interpret Socrates' derisive speech as anything but antagonism; it in no way contributes to what anyone would consider a straightforward defense speech. Frankly, this is because it wasn't intended for a defense. Rather the *megalegoria* is strategic in another way—it facilitates a sort of reciprocal violence. That is, Socrates' provocation of the jury causes all this sort of verbal or symbolic violence to the *dikasts*; this, in a way, exploits a vindictive impulse on the part of the *dikasts*, further ensuring a reactionary conviction. In this sense, we can interpret that via his *megalegoria*, Socrates' has co-opted the prosecution; his

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<sup>118</sup> To some extent, this reading is also advocated by Jacob Howland, who will identify much of the same *pharmakos* symbolism in the text. Howland argues that the *Apology* employs certain formal elements of tragedy in order to reveal how Socrates functions, much like Oedipus, as a *pharmakos* scapegoat. Howland draws attention to the role that Socrates plays as a polluted figure who seeks to purify Athens in effort to purge from the city its desire to secure social cohesion by threatening its citizens with violence and shame. He similarly argues that the *Apology* consists of opposing purifications between Socrates and the polis. Ultimately, Howland's purpose is not to reveal the relationship between retributive violence and the institution of *miasma*, nor does he argue for the historical truth of Socrates' functioning as a sacrificial object for Athens, as I have tried to propose here. Rather, Howland argues that “Socrates as scapegoat” was not so much a historical reality, as it was simply a literary theme adopted by Plato who was appropriating the themes of the tragedians. See Jacob Howland, “Plato's *Apology* as Tragedy,” *Review of Politics*, 70 (2008), 519-546.

conviction and death would ensure a confrontation of values, a confrontation of purifications. And insofar as the endgame was to demonstrate that the courtroom became this site of clashing purifications, then Plato deepens, significantly, the sense of the “assisted suicide” reading that Xenophon promotes in his account of the *megalegoria*.

Now, inasmuch as Socrates enacts a purification of the polis on his own terms, then certainly the conception and significance of “pollution” is, likewise, turned on its head. And so what might Socrates be “purifying”? Well, at the end of the first chapter, it was suggested that the Socratic “purification” implied a purging of an un-interrogated commitment to the ruinous Athenian traditions. The *Euthyphro*—in addition to the rest of the aporetic dialogues—is a sort of ostensible representation of this sort of Socratic purification. The Socrates of the *Apology* promises the continuation of the Socratic purification-project wherein philosophers will continue to engage the *polis* so as to force citizens to give an account of their beliefs and their life. Socrates warns that after he is killed unjustly, those “students” whom he was holding back will go on to further his vengeance (and his vocation):

I say, gentlemen, to those who voted to kill me, that vengeance will come upon you immediately after my death, a vengeance much harder to bear than that which you took in killing me. You did this in the belief that you would avoid giving an account of your life, but I maintain that quite the opposite will happen to you. There will be more people to test you whom I now held back, but you did not notice it.<sup>119</sup>

But the pollution is more than this. That is, the pollution that Socrates intends to purify is more than simply the unreflective life to which Athenians have been sentenced in part by their ruinous religious and social traditions. Rather, the *miasma* of ignorance names also a specific ignorance that perpetuates violence, particularly retributive violence. And the *Euthyphro* foregrounds this. And the sort of vindictive impulses that are everywhere inscribed in Athens’s

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<sup>119</sup> Ibid., 39c–d).

political, legal, and religious institutions thrive because of the woefully inadequate education system in Athens. The pedagogical insistence on the Greek *mythos*—story’s of vindictive exemplars—is the primary educational objective. This is an intended route to *areté* which inevitably trains up and prepares Athenians for their participation in various economies of violence. Ironically, in the passage above, Socrates promotes his own vengeance. But the meaning of vengeance is turned on its head. We have gone over at length the extent to which Athenian “purification” names a secondary elaboration upon retribution. On the other hand, Socratic vengeance—i.e. Socratic purification—is simply the philosophical-political persistence that challenges the polis to give an account of its morality, its education, its values. The Socratic purification is intended to be, in part, a *katharmos* of Athenian “purification,” insofar as Athenian purification often entails little more than the religiously glorified impulse for reprisals and vindication. Socrates’ mission here, then, is to purge violence and the impulse for revenge from the Athenian psyche.

Therefore, we have contradictory, clashing purifications being enacted in the *Apology*. The agents of these “purifications” stand in diametric opposition—an opposition brought to a head by the use of Socratic *megalegoria*, which not only ensures a deadly confrontation, but emphasizes Socrates’ distancing from the “many,” from the jury, from the democracy (recall his emphasis on “their exile”). What further evidence is there that the Socratic purification is an oppositional attempt to purge the retributive impulses holding sway in all of Athens? On this recall the passage from the *Crito*, quoted before our introduction:

One should never do wrong in return, nor do any man harm, no matter what he may have done to you. And Crito, see that you do not agree to this contrary to your own belief. For I know that only a few people hold this view or will hold it, and there is no common ground between those who hold this view and those who do not, but they inevitably despise one another’s other’s views.

Athenian institutions were founded upon these forms of violent retributions. This ethic of violence, colored at times by blatant programs of vindictiveness, inscribed so much of the political attitude of the citizen-body that valuing justice often meant little more than the valuing the reciprocity of violence. This ethic further inscribed how individuals related to one another in the legal arena, which in turn often meant no more than “the arena for personal vendettas.”<sup>120</sup> And still more, this ethic inscribed how the citizen-body related to the gods, where piety often meant little more than avoiding the gods scorn / giving the gods their due.

Now, by all accounts, Socrates was god-awful ugly—perfect for a *pharmakos*.

Xenophon considers his ugliness to be something out of myth, comparing him to Silenus. Here is W.C. Guthrie’s description:

In appearance Socrates was universally admitted to be extraordinarily ugly, but it was the kind of ugliness which fascinates. His chief features were a broad, flat and turned-up nose, prominent staring eyes, thick fleshy lips and a paunch, or, as he phrases it himself in Xenophon’s *Symposium* (2.18): “a stomach rather too large for convenience.”<sup>121</sup>

However, it is primarily the Thargelion symbolism at play in some of Socrates’ speech that reveals the narrative that Plato has clearly imbedded in his *Apology*. I think the evidence that Plato was elaborating on a sacrificial narrative by symbolically casting Socrates as *pharmakos* is overwhelming. Socrates’ god—the god who stations Socrates in Athens, the god who never alters Socrates’ defense by calling on his *daimon*—is Apollo: the god of plague and pestilence, the god of purification, the god of Thargelia. The *pharmakos* symbolism is most apparent in Socrates’ proposal that he receive food and board at the Prytaneum. This is something of a blatant reference to the tradition of royally feeding the *pharmakos* before his procession and exile. And remember the trial date—there very likely would have been a *pharmakos* stationed in

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<sup>120</sup> Robin Waterfield, *Why Socrates Died*, 26.

<sup>121</sup> W.K.C. Guthrie, *Socrates* (Cambridge: Cambridge University Press, 1971), 66–67.

the Prytany just a few days before, sleeping and dining at the public expense. And this is not to mention the legal tradition of trying “polluted” objects of accidental killings in the Prytaneum. Like the defiled creatures and insects often associated with pollution, Socrates likens himself to the gadfly, a *miaros*. Like traditional *pharmakoi*, not only is Socrates ugly, but he is also old and impoverished, unwashed and unkempt. And just as the presence of *miasma* foreshadowed a divine retribution, Socrates prophecies of the vengeance exacted onto the jurors by those he had been holding back—a purification following the pollution.

No, not simply it seems was Plato's Socrates a mere victim of the many-against-the-one religious/political mechanism that ensured his death, but ironically Socrates embraces his own complicity in the very mechanism—precisely because he so actively foments the attitude of his jury and helps determine the sway of the trial. Plato's Socrates scripts his own fate, willfully choosing his death for the appointed hour, much the same as Achilles with whom he compares himself in his defense speech. Thus, in order to illuminate the direct confrontation between Socratic values (namely, never returning a wrong for a wrong) and Athenian values (namely, an ethic of vindictiveness—and recall that even animals and inanimate objects were often put on trial and expelled from the city) Plato dresses Socrates in all of the prevailing trappings and motifs of the polluted figure whose death or exile would purify the city. Socrates is the archetypal *pharmakon*. Socrates is the poison / medicine whose death fulfills contradictory purifications, depending on whether one occupied his perspective or that of the jury.

Given the enormously significant trial date and given the prolonged social crisis and given Athens's history of sacrificial violence, the scapegoat reading of the trial of Socrates might succeed where exclusively political and exclusively religious interpretations of the *Apology* have failed. Yet, while the narrative that the actual Socrates was condemned for sacrificial reasons has

historical weight behind it, the interpretation that he chose a *pharmakos* role cannot be liberally applied to the intentions of the historical Socrates. Whatever happened in the courtroom on Thargelion 6<sup>th</sup>, 399—we will never know for certain. As always, we are restricted to *Plato's* Socrates.

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Thesis Title:

Pollution, Purification, and the Scapegoat: Religion and Violence in the trial of Socrates

Major Professor: Thomas Alexander