



# Socrates on Trial

## Athenian Court System

- There were two legal codes, much like Hammurabi's Code of Law, that led up to the Athenian court system.
  - Dracon: the punishment for all offenses was death regardless of how small the infraction. The problem was not the penalty, but that there was a huge gap between the rich and poor families.
  - Solon: set about to reform the Draconian laws and make things more fair. He threw out all of Dracon's laws except in regards to murder.
    - Some of his laws were:
      - A man was permitted to kill an adulterer caught in the act.
      - Fines were levied against men who either forced or enticed a free woman.
      - Men were forbidden to talk evil of the dead.
      - If a man couldn't find water within a certain distance from his house he was allowed to use his neighbor's well.
- Types of Courts
  - There were two types of cases heard by Athenian courts.
    - 1) Dike: private case that did not affect the community as a whole such as problems between two individuals.
    - 2) Graphē: public case that affected entire community like treason, desertion, embezzlement.
- There were courts that heard lesser offenses and those where homicide cases were heard.
  - Areopagus dealt with intentional homicide. The penalty was not always death. Sometimes people were exiled.
  - Palladion was reserved for cases involving unintentional homicide such as someone killed in a wrestling match.
    - If a person was already exiled and up for murder, the accused had to stand in a boat offshore at a specific place while the jury sat on the beach listening to the case.
  - Delphinion: people who felt their homicide was justifiable such as catching an adulterer or thief.
  - Prytaneion: court tried murder cases in which animals, inanimate objects, or unknown assailants were responsible.
    - Animal or inanimate object was exiled or animal was killed.
    - Unknown person was exiled to make people think something official had occurred.
- Jury of Athenian Courts
  - Could involve a large number of people, some as large as 6,001.
    - Odd numbers were required to avoid ties.
  - Any citizen could be a jury member (male born to Athenian parents and 30 years old).

- Simply had to show up at designated spot.
  - They would draw tickets to see who was a jury member that day.
- One jury member in charge of the water clock to time speeches.
- Jurors were given two bronze knobs, one hollow and the other solid. If they thought the defendant was innocent, they cast the solid knob. If guilty than the hollow one.
  - A simple majority was needed.
- Case was decided by speeches made by the defendant and whoever was accusing them of the crime.
  - Participants spoke for themselves. No lawyers.
    - If could not speak well, they would hire speech writers to help them although it was illegal.
    - Speech length depended on severity of case (i.e. murder got longer than lesser offense).
    - A slave's testimony could only be admitted if it was made under physical torture.
- Major differences to American court system
  - No evidence could be presented in case.
  - No public prosecutor.
  - No cross-examination.
  - Only free male citizens could bring charges against someone.
    - If a female wanted to do so she would have to do it through her father, brother, or some other male relative.

## TRIAL OF SOCRATES

- Socrates was put on trial and eventually executed, for merely expressing his ideas to other people in the market place.
- Socrates was tried in an Athenian court system, found guilty, and forced to drink hemlock juice which killed him.
  - Socrates was accused of defying the gods, corrupting the youth, and trying to overthrow the government.
  - What if Socrates was tried in an American court? How would things be different?
    - In our country, we have the 1<sup>st</sup> Amendment which is freedom of speech and the right to protest.
    - The 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> Amendments of the Constitution set up our court system.
      - 5<sup>th</sup> is about providing testimony against yourself;
        - If you ever hear anyone pleading the fifth, it means they're not going to incriminate themselves.
        - Also double jeopardy which is being tried for the same trial twice. Only way he can be retried is if new evidence not presented in the first case is discovered.
      - 6<sup>th</sup> is the right to a speedy or fast trial, as well as being provided with a lawyer.
        - If you cannot afford your own lawyer, the state must provide one for you.
      - 7<sup>th</sup> is right to a trial by jury.
        - Jury is made up of 12 peers.
        - Selected from a pool of jurors.
        - Must reach a unanimous decision in order to find guilty of an offense. If do not all agree then is a hung jury and the person can be retried.
      - 8<sup>th</sup> is no cruel and unusual punishments
        - For example, if you're found guilty of shop lifting, they cannot cut your hands off like with Hammurabi's Laws.
        - Unlike Draco's laws, cannot get the death penalty except in certain cases.
        - Some states do not even have the death penalty.
- In America, you are innocent until proven guilty. When you go to court, you don't have to prove that you're innocent. All you have to prove is that you're not guilty. In Athenian courts, you were guilty until proven otherwise.

- Virtually every court system in the US has a group of officials or actors who manage the daily business of the court.
  - ✓ The accused in this case is Socrates. In the US, there are steps the law must go through in order to get to the trial part of justice. First there must be an investigation in which a crime is reported. Next, the suspect is arrested for the crime based on evidence or witnesses. The suspect is told of the charges against them and informed of their rights in their initial appearance. Next is the indictment where the prosecution presents evidence to prove that there is enough evidence to try this person of the crime. If this is decided as yes, there is an arraignment in which the defendant pleads either “guilty” or “not guilty”. Then it goes to trial.
    - In the case of Socrates, he is accused of corrupting youngsters by encouraging them to think and go against the status quo or the way things are. The prosecution is seeking the death penalty or capital punishment. But according to the 8<sup>th</sup> Amendment, there is no cruel and unusual punishment. We could not sentence someone to death for simply jaywalking or talking out against the government. The punishment must fit the crime so if you’re convicted of the death penalty, you had to kill someone to get the sentence.
    - Even though the defendant is not representing themselves, they can speak for themselves by being a witness in their own behalf, giving their side of the story. However, because of the 5<sup>th</sup> Amendment, a defendant does not have to testify if they don’t want to.
  - ✓ To begin with, the judge is the chief executive of the courtroom. Providing justice is the most critical duty of the judge – to see that people are treated correctly and fairly according to the law.
    - In Athens judges were referred to as magistrates, but they did not sit on court cases. Instead, the Council of Citizens acted as both judge and jury. We are going to try Socrates using a US court system to teach you how it works, so we will be using a judge.
  - ✓ The prosecutor represents the victims of the crime. It is their duty to protect society and individual victims.
    - Now in Athens, they did things a little different. Anyone could bring an accusation against another citizen. Whoever made the accusation was then responsible for trying to prove the guilt of that person.
    - In the United States, we have lawyers that do this for the victims. No case may exist without a victim. They are the

reason for having all of the other actors present in court. The victim is the person who is pursuing the lawsuit.

- The victims in our case are Meletus, Anytus, & Lycion, the same people prosecuting the case. In Athens, the victims who brought the case to light also had to prosecute the case. In the US, you hire a lawyer to present your case for you, someone who knows the laws and is aware of all your rights.
- ✓ On the opposite side of the argument is the defense attorney. This person represents the citizen accused of the crime. The defense attorney ideally helps a person from the time of their arrest throughout the trial process.
  - In Athens, you had to defend yourself. So Socrates had to defend himself against the accusations of his enemies.
  - Here in the United States, there is a saying that “he who represents himself is a fool”. Lawyers usually defend the case for the accused. In fact, according to law, a lawyer must be provided, even if the person cannot afford one themselves.
  - The defense lawyers in our case are going to be three of Socrates’ students, Aristotle, Plato, & Euclid.
- ✓ All trials have witnesses to make the case either stronger or weaker, depending on which side presents the witness.
  - The prosecution would want to present witnesses that make their case stronger, while the defense would present witnesses to counter the prosecution’s arguments or weaken their case.
  - There are two types of witnesses – expert and lay. An expert witness will testify about an area in which they have a specialized skill. Some examples are fingerprinting, handwriting analysis, and psychiatric evaluation.
  - A lay witness is also known as a character witness. They are permitted to speak about non-specific issues in court and are usually there to either give example as to why the defendant is guilty, or innocent, based on their observation of events rather than any expertise.
    - We need ten witnesses, 4 expert, and 6 lay.
- ✓ The jury is the people that decide whether the accused is guilty or not guilty. They are supposed to be impartial to the case or aspects of it. For example, if the prosecution is seeking the death penalty for a crime. They would not have someone on the jury who is opposed to the death penalty. Or if the person put on trial is Hispanic, you wouldn’t want someone on the jury who is racist towards Hispanics.

- In the US, juries are made up of 12 people who are regular citizens with regular jobs, and are called to jury duty by the state.
- Almost everyone in their adult life will be called to jury duty. It is considered to be part of your duty as a citizen.
- The jury of 12 must vote unanimously, or everyone the same, for either guilty or not guilty. If they cannot all decide the same verdict, it is known as a hung jury and the defendant goes free. Usually when this happens though the case will be retried with another jury. But once a person is found not guilty, they cannot be retried for the same case twice. This is known as double jeopardy.
- In Greece, things worked differently. The jury was made up over 500 people who volunteered to be the jury. They acted not only as jury but judge.
  - Everyone left will be the jury.

Everyone will have specific jobs to do in the day and a half of preparation

- Judge: will be coached by the teacher as to how they run a courtroom and then required to complete the judge's packet.
- Socrates: must aid the defense lawyers in interviews and prepare his own defense when he gets up on the stand.
- Defense: must interview their five witnesses and understand what questions they are going to ask their witnesses. Also will want to prepare their opening statement and closing argument as well as possible cross-examination questions.
- Prosecution: must interview their five witnesses and understand what questions they are going to ask their witnesses. Also will want to prepare their opening statement and closing argument as well as possible cross-examination questions.
- Witnesses: must read their character profile and answer questions as their characters would, not themselves. Must be interviewed by one of the three lawyers. Each witness must answer at least three questions. There can be more but no less. They also have to complete the witness packet.
- Jury members: must prepare a jury member profile one half page long in their Explorer's Handbook Individual Assignments section. Must present a name for their character, and a background including occupation, beliefs, family, age, education, etc. They must also complete the jury packet.



## TRIAL OF SOCRATES

### Defense

Socrates \_\_\_\_\_

Aristotle \_\_\_\_\_

Plato \_\_\_\_\_

Euclid \_\_\_\_\_

Anticles \_\_\_\_\_

Pericles \_\_\_\_\_

Demecius \_\_\_\_\_

Rufus \_\_\_\_\_

Verenkin \_\_\_\_\_

### Prosecution

Meletus \_\_\_\_\_

Anytus \_\_\_\_\_

Lycion \_\_\_\_\_

Iamber \_\_\_\_\_

Thebus \_\_\_\_\_

Brutin \_\_\_\_\_

Diona \_\_\_\_\_

Mara \_\_\_\_\_

Xenophon \_\_\_\_\_

# SOCRATES

Socrates is the accused in the trial. He is a wise man of Athens and considered one of the most important philosophers of his time. He has been spreading his teachings in the marketplace, mostly to the sons of the rich and influential. This in addition to his bad habit of pointing out people's flaws, most of which are powerful politicians, has made Socrates a lot of enemies. He has made enemies of the politicians represented by Anytus, the poets represented by Meletus, and the artisans represented by Lycon.

At the same time, Socrates is also greatly admired by others for his willingness to explore an argument wherever it might lead. Some of his admirers are the three defense lawyers, Plato, Aristotle, and Euclid.

Socrates spends most of his time in the marketplace conversing about ethical issues. Although a stone-cutter by trade, he stopped doing this in favor of spreading his ideas.

In addition to the charge of corrupting the youth, Socrates has been accused of being associated with an undemocratic faction known as the sophists, an accusation Socrates denies.

Socrates is a very vain man, thinking that no one of more intelligent than he. He has also claimed throughout his life to hear voices, which he interprets as signs from the gods.

You are going to wave your Fifth Amendment right to not testify against yourself, taking the stand in this case. When you defend yourself on the stand, you must make sure to get across the idea that your enemies do not like you because you are wiser than them. Also is the fact that the youth who you have been accused of corrupting, come to you on their own. They take the ideas you teach them and try to do it themselves, often making politicians look bad. It is the youth the accusers should be angry with because they are acting without Socrates' knowledge. When they heckle a politician, they are doing so to try to imitate Socrates, not because he told them to.

Write at least three questions the defense team is going to ask you during the trial and how will you respond to them?

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# JUDGE

The judge is the key officer of the court. They control the proceedings of the case, and their principal job is to administer the law. A judge is essentially the boss of the courtroom, however, their opinion in the case is unbiased. In other words, they do not pick sides.

If the courtroom is becoming noisy or out of hand, the judge may call for *order in the court*. If someone misbehaves in the courtroom or fails to follow a judge's orders, that person may be cited with a *contempt of court*.

While hearing a case, the lawyer who is **not** questioning the witness may disagree with a question being asked. This is known as *objecting*. A lawyer objects because they believe the question is either unfair or improper. The judge has two options when a lawyer objects. They can either *overrule*, which means allow the questioning to continue as it has been, or they can *sustain*, which means the lawyer cannot continue to ask the question.

Your job in this activity is one of the most important. You control the pace of the court case and must keep things moving along. The case should proceed in the following order upon your directions.

*Will the prosecution give their opening statement?*

The prosecution always goes first. This starts the case off and sets the tone for what the prosecution is going to try and prove.

*Will the defense present their opening statement?*

This is the defense's response to the accusations of the defense.

This sequence will repeat itself through all of the Prosecution's witnesses

*Will the prosecution call their first/next witness?*

The prosecution will call six witnesses to the stand to present their case.

*Would the defense like to cross-examine the witness?*

The defense can cross-examine any witness the prosecution uses, trying to find fault with their testimony.

*The witness is excused.*

The judge says this every time the lawyers are finished with a witness.

This sequence will repeat itself through all of the Defense's witnesses

*Will the defense call their first/next witness?*

The defense will also call six witnesses to the stand and ask each one of them no more than three questions.

*Would the prosecution like to cross-examine the witness?*

The prosecution can cross-examine any witness the defense uses, but can ask no more than two questions.

*The witness is excused.*

The judge says this every time the lawyers are finished with a witness.

The court takes a five minute recess for the lawyers to prepare their closing.

*The prosecution will now give their closing argument.*

The prosecution will sum up their case and why the accused should be found guilty.

*The defense will now present their closing argument.*

The defense will sum up the weaknesses in the prosecution's case and why the accused should be found innocent.

*The jury will now deliberate.*

This is when the jury will make their decision and vote on the verdict.

If there is a jury, they will be excused to deliberate on the verdict.

*Has the jury reached a verdict?*

This is when the jury foreman will read their verdict depending on whether Socrates is found guilty or not guilty.

If found guilty the judge will say...

*Sentence to be carried out immediately, bailiff escort the defendant to the hemlock.*

If found not guilty the judge will say...

*This case is adjourned.*

This means a final decision has been made concerning the accused.

# The PROSECUTION

The prosecution is responsible for bringing charges against an accused. The prosecution must begin with their *opening statement*. This is a short statement as to why the accused should be found guilty of the crime they are accused of. The defense then follows with their own opening statement saying why the accused is innocent.

Then comes the *presentation of the state's case* in which evidence is provided through the testimony of witnesses in order to prove the defendant's guilt. The defense lawyer is allowed to cross-examine any witnesses the prosecution presents, in order to find fault in their testimony. If at any time the defense asks a witness a question that the prosecution thinks is unfair or inappropriate, the prosecution can *object*, which means the judge will either *sustain* and stop the questioning, or *overrule* and let the questioning continue.

The defense then presents their case using witnesses, and the prosecution is allowed to *cross-examine*. Once both sides have presented their case, the prosecution once again leads the way, giving their *closing argument* first. The closing argument is the summary of why the defendant should be found guilty.

Then it is up to the jury to decide as to whether the defendant is innocent or not.

The prosecution in the trial of Socrates is made up of his three accusers; Meletus, Anytus, and Lycon. They have accused Socrates of corrupting youth and of impiety, or lack of respect towards the gods. They also accuse him of being associated with the sophists, which are a undemocratic group in Athens.

As the prosecution, you will need to divide the duties among the three of you. One should handle the opening statement, the next the questioning of witnesses, and the third the closing arguments. Anytus cannot conduct the questioning of witnesses because he will be a witness himself. All three of you should use your two days of preparation, interviewing your witnesses, talking with two witnesses each and preparing the questions you are going to ask them. You must ask each witness at least three questions. You will want to come up with the best questions possible to make your case. You and the witness should come up with the answers together. This is known as *preparing the witness*. Your witnesses are as follows;

(C) = character witness                      (E) = expert witness

- 1) *Iamber*: parent of a youth corrupted by Socrates (C)
  - ✓ He will argue how Socrates is corrupting youth and how his son has been disrespecting him.
- 2) *Thebus*: angry market artisan (C)
  - ✓ He will argue how Socrates disturbs the marketplace with his teaching, hurting his business.
- 3) *Brutin*: politician
  - ✓ He will argue how the youth have been harassing him during speeches and making him look like a fool, just as Socrates taught them to.
- 4) *Diona*: scholar
  - ✓ He will attest to Socrates acting with impiety and not respecting the gods with his philosophies.
- 5) *Mara*: oracle reader
  - ✓ He will tell the jury that Socrates believes he hears voices, which he believes to be the gods giving him advice.
- 6) *Xenophon*: aristocrat
  - ✓ He will defend the traditional values and institutions of Athens and how Socrates is trying to undermine these by corrupting the youth.

Divide up your duties equally and good luck.

# The DEFENSE

The defense is responsible for defending the accused against the allegations of the prosecution. After the prosecution gives their *opening statement*, the defense gives one of their own, giving their reason why they believe the charges brought against the accused are false.

The prosecution then presents its evidence, calling witnesses to the stand to back up their charges. The defense has the opportunity to *cross-examine* these witnesses in order to ask questions and find fault with their testimony. At any time during the prosecution's questioning, if the defense feels there has been an improper or inappropriate question, they may *object*. They judge will either *overrule* and allow the questioning to continue, or they will *sustain* and prevent the question from being asked.

Next, the defense calls its own witnesses to the stand. These witnesses are to disprove the allegations of the prosecution. The prosecution is allowed to cross-examine as well, to find problems with the testimony.

Once both sides have presented, each side gives its *closing argument*, the prosecution going first. In the defense's closing argument, they will want to sum up the weaknesses in the case that the prosecution presented and try to put in the jury's mind a shadow of doubt about their client's guilt.

The defense in the trial of Socrates are three of his students; Plato, Aristotle, and Euclid. They will be defending Socrates by arguing that his philosophies or ideas are not dangerous, but instead, teach people to think for themselves. They will also show him in support of democracy in order to counter the prosecution's accusation of being associated with the sophists. As the defense you will need to divide the duties among the three of you. One should handle the opening statement, another the questioning of the witnesses, and the third, the closing argument. All three of you should use your two days of preparation interviewing your witnesses, each taking two. You must ask each witness at least three questions. You will want to come up with the best questions to make your case with the witness and together come up with a prepared answer. This is known as *preparing the witness*. Your witnesses are as follows;



(C) = character witness                      (E) = expert witness

- 1) *Anticles*: young student of Socrates whose father testified against Socrates (C)
  - ✓ He will testify how Socrates has changed his life for the better.
- 2) *Pericles*: artisan in marketplace (C)
  - ✓ He will testify that Socrates is harmless and does not bother anyone.
- 3) *Demecius*: soldier in the military (E)
  - ✓ He will testify that Socrates is very democratic because he served his city-state loyally in the army.
- 4) *Rufus*: philosopher (E)
  - ✓ He will argue that Socrates is not acting with impiety, he is simply trying to get others to use their minds.
- 5) *Verenkin*: son of Anytus (C)
  - ✓ He will testify that his father and the others are out to get Socrates.
- 6) *Socrates*: the accused (C)
  - ✓ He will testify that his ideas are meant to teach, not to cause problems.

Divide your duties up equally and good luck.

# WITNESS LIST

*According to the law, both sides must be made aware of any witnesses the other side is going to call.*

## Prosecution's Witnesses

### **Iamber**

He is a parent of a Anticules, a youth under the teaching of Socrates. He is disgusted by Socrates' corruption of youth, including his own son.

Iamber will relate stories that his son no longer respects his parents and often will question their judgment rather than obeying them, all because of Socrates. He will also relate a story of how Anticules was arrested for harassing a politician during a speech.

### **Thebus**

He is a artisan in the marketplace who does not think Socrates is a good influence and causes trouble in the marketplace, getting the youth all riled up and thinking for themselves rather than going out and learning a trade so they can one day work in the marketplace and make a contribution to society.

Also, the crowds that gather around Socrates' tent blocks Thebus' stand and affect his business. When he tells them to move, they simply get smart with him and point out his ignorance. One time the crowd was so excited about something Socrates was saying, they knocked over one of Thebus' tables and broke the stone figurines. No one even offered to pay for it.

Thebus also remembers when Socrates was a simple stone cutter and was actually productive in the marketplace. He hasn't sold anything for awhile and instead spends his time corrupting youth.

### **Brutin**

He is a politician who has been victimized by the students of Socrates. He believes that Socrates gets these ideas in their heads and tells them to attack the politicians and bring down the government.

He will tell a story about how one time when he was giving a speech, a bunch of Socrates' students began interrupting him and asking him questions designed to embarrass him.

He will paint Socrates as a menace to society and who also wants to undermine the government.

### **Dinona**

Dinona is a philosopher who disagrees with Socrates' teachings. Although Socrates teaches people to think, he does so with great disrespect to the gods, which is known as impiety.

Dinona also believes Socrates' teaching can be dangerous because they can easily be misinterpreted which is what many of his students are doing. Socrates' cockiness about his wisdom is also dangerous because he thinks he is above everyone else, including the law.

### **Mara**

Mara is an expert of the oracle, which many people go to in order to predict their future. Socrates has spent a lot of time at the oracle asking it questions such as whether he is the wisest man of all.

He has observed Socrates saying that he hears voices, voices that he claims are the gods telling him what to do and giving advice. This testimony will question Socrates' sanity and whether someone who might be crazy should be teaching the youth of Athens.

### **Xenophon**

Xenophon will be called to the stand to testify that Socrates is not only corrupting the youth of Athens, but that he is a member of the sophists, an undemocratic group.

He believes that Socrates is not only a danger to the youth, but the Athenian idea of freedom and worth of the individual. He will cite very specific examples of Critias and Alcibiades. Both of these men were disciples of Socrates who went on to try to overthrow the government of Athens. He will argue that the teaching of Socrates led many youth to commit acts of violence against the current government.

Since you are allowed to cross-examine each witness, you might want to jot down possible questions you would ask each of these witnesses in order to make their testimony look bad.

# WITNESS LIST

*According to the law, both sides must be made aware of any witnesses the other side is going to call.*

## Defense's Witnesses

### **Anticules**

He is a young student of Socrates who has been going to the marketplace to hear Socrates teach for the last couple of months. Anticules idolizes Socrates and wishes to be just like him.

Anticules will talk about how Socrates has changed his life for the better, allowing him to think for himself and be a better person as a result. He will also be able to talk about how his arrest for harassing a politician was unfair and was against his rights as a soon-to-be citizen of Athens.

### **Pericles**

Pericles is a fellow artisan of Socrates in the marketplace. He too is a stone cutter and does not see the harm in what Socrates is doing.

He believes that the other artisans such as Thebus are overreacting and that Socrates is harmless. The crowd of youth that Socrates attracts is actually helpful because it brings more people to the marketplace. People such as Thebus who complain that it has hurt business are not good artisans in the first place and the reason they can not sell anything is because their items are of poor quality.

### **Demecius**

Demecius is a soldier in the Athenian army who served with Socrates. He will testify that Socrates was a good soldier, and even bought his own suit of armor.

Demecius will also testify that Socrates is not undemocratic as he is being accused of. Instead, he fought to preserve the democracy of Athens.

### **Rufus**

Rufus is a fellow philosopher of Socrates. He also has a following of his own students and does not see the harm of Socrates' teachings.

Rufus will talk about the wisdom of Socrates and how he admires his ability to pursue any argument no matter where it goes. He will also testify how students have a bad habit of trying to show off their knowledge they have learned from their teacher before they properly know how to use it. He will tell a story of how a student of his insulted a nobleman and got Rufus thrown into jail for a couple of days as a result.

### **Verenkin**

He is the son of Anytus. He also is a student of Socrates and resents the fact that his father is prosecuting Socrates.

Verenkin will testify that the attack on Socrates is a conspiracy by the politicians, artisans, and poets to keep things the way they are in Athens. They feel that if Socrates teaches too many people to think for themselves, they will demand more rights and freedom, and the upper class might lose their high positions in Athenian society.

### **Socrates**

Socrates spends most of his time in the marketplace conversing about ethical issues with the youth of Athens. Although a stone cutter by trade, he stopped doing this in favor of spreading his ideas.

Socrates has been accused of corrupting these youth as well as being associated with an undemocratic faction known as the sophists, an accusation Socrates denies.

Socrates will testify the idea that his enemies do not like him because he is wiser than them. Also that the youth who he has been accused of corrupting come to him on their own accord. It is the youth the accusers should be angry with because they are acting without Socrates' knowledge. When they heckle a politician, they are doing so to try to imitate Socrates, not because he told them to.

Since you are allowed to cross-examine the witnesses, you might want to jot down possible questions you would ask each witness in order to make their testimony look bad.

# Iamber

Iamber is a witness for the prosecution. He will serve as a lay witness. In other words, he will testify as to the character of Socrates.

He is a parent of Anticles, a youth under the teaching of Socrates. He is disgusted by Socrates' corruption of youth, including his own son. Iamber will relate stories that his son no longer respects his parents and often will question their judgment rather than obeying them, all because of Socrates.

He will also relate a story of how Anticles was arrested for harassing a politician during a speech. This shows how Socrates has taught the young to despise the established constitution and make them violent.

The prosecuting attorney prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the defense might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the responses you will give.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# THEBUS

Thebus is a witness for the prosecution. He will serve as a lay witness. In other words, he will testify as to the character of Socrates.

He is an artisan in the marketplace who does not think Socrates is a good influence and causes trouble in the marketplace. He believes Socrates gets the youth all riled up and thinking for themselves rather than going out and learning a trade so they can one day work in the marketplace and make a contribution to society.

Also, the crowds that gather around Socrates' tent blocks Thebus' stand and affect his business. When he tells them to move, they simply get smart with him and point out his ignorance. One time the crowd was so excited about something Socrates was saying, they knocked over one of Thebus' tables and broke the stone figurines. No one even offered to pay for it.

Thebus also remembers when Socrates was a simple stone cutter and was actually productive in the marketplace. He hasn't sold anything for awhile and instead spends his time corrupting youth.

The prosecuting attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the defense might ask you in the cross-examination. They can ask up just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Brutin

Brutin is a witness for the prosecution. He will serve as an expert witness. In other words, he will testify as an expert from his field and present evidence.

He is a politician who has been victimized by the students of Socrates. He believes that Socrates gets these ideas in their heads and tells them to attack the politicians and bring down the government.

He will tell a story about how one time when he was giving a speech, a bunch of Socrates' students began interrupting him and asking him questions designed to embarrass him. This will show Socrates as being against the government and possibly wanting to overthrow it since his students question everything about the government. He will paint Socrates as a menace to society and who also wants to undermine the government. This is a concern to many citizens because it has been overthrown twice in the last forty years.

The prosecuting attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the defense might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Dinona

Dinona is a witness for the prosecution. He will serve as an expert witness. In other words, he will testify as an expert in his field and present evidence.

Dinona is a philosopher who disagrees with Socrates' teachings. Although Socrates teaches people to think, he does so with great disrespect to the gods, which is known as impiety. Dinona believes that Socrates thinks he is so intelligent that he is even better than the gods. Because of this Socrates is disrespectful to them.

Dinona also believes Socrates' teachings can be dangerous because they can easily be misinterpreted which is what many of his students are doing. Socrates main philosophy is to question his fellow citizens but in the hands of the youth this can be hazardous.

Socrates' cockiness about his wisdom is also dangerous because he thinks he is above everyone else, including the law. Socrates believes there should be no government because there is not anyone smart enough to run it.

The prosecuting attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the defense might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Mara

Mara is a witness for the prosecution. He will serve as an expert witness. In other words, he will testify as an expert in his field and provide evidence.

Mara is an expert of the oracle, which many people go to for their future. Socrates has spent a lot of time at the oracle asking it questions such as whether he is the wisest man of all.

He has observed Socrates saying that he hears voices, voices that he claims are the gods telling him what to do and giving advice. He heard him ask, "Is there any man more free or more prudent as I?" Supposedly Socrates heard the god Apollo god answer back that there wasn't. Also Apollo told Socrates that he "far excelled the rest of mankind" and "that there was no one wiser". This testimony will question Socrates' sanity and whether someone who might be crazy should be teaching the youth of Athens.

The prosecuting attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the defense might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Xenophon

Xenophon is a witness for the prosecution. He will serve as a lay witness. In other words, he will testify as to the character of Socrates.

He will be called to the stand to testify that Socrates is not only corrupting the youth of Athens, but that he is a member of the sophists, an undemocratic group.

He believes that Socrates is not only a danger to the youth, but the Athenian idea of freedom and worth of the individual. He will cite very specific examples of Critias and Alcibiades. Both of these men were disciples of Socrates who went on to try to overthrow the government of Athens. He will argue that the teaching of Socrates led many youth to commit acts of violence against the current government and told them to look down upon the Athenian rule.

The prosecuting attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the defense might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

---

---

*Response #1* \_\_\_\_\_

---

---



*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# ANTICULES

Anticules is a witness for the defense. He will serve as a lay witness. In other words, he will testify as to the character of Socrates.

He is a young student of Socrates who has been going to the marketplace to hear Socrates teach for the last couple of months. Anticules idolizes Socrates and wishes to be just like him.

Anticules will talk about how Socrates has changed his life for the better, allowing him to think for himself and be a better person as a result. He will also be able to talk about how his arrest for harassing a politician was unfair and was against his rights as a soon-to-be citizen of Athens.

The defense attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the prosecution might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# PERICLES

Pericles is a witness for the defense. He will serve as a lay witness. In other words, he will testify as to the character of Socrates.

He is a fellow artisan of Socrates in the marketplace. He too is a stone-cutter and does not see the harm in what Socrates is doing,

He believes that the other artisans such as Thebus are overreacting and that Socrates is harmless. The crowd of youth that Socrates attracts is actually helpful because it brings more people to the marketplace. People such as Thebus who complain that it has hurt business are not good artisans in the first place and the reason they cannot sell anything is because their items are of poor quality.

The defense attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the prosecution might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Demecius

Demecius is a witness for the defense. He will serve as an expert witness. In other words, he will testify as an expert in his field and provide evidence.

Demecius is a soldier in the Athenian army who served with Socrates. He will testify that Socrates was a good soldier, fighting as a hoplite, a heavy-armed foot soldier. An Athenian had to provide his own military equipment and Socrates bought his own suit of armor.

Demecius will also testify that Socrates is not undemocratic as he is being accused of. Instead, he fought to preserve the democracy of Athens.

The defense attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the prosecution might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# RUFUS

Rufus is a witness for the defense. He will serve as an expert witness. In other words, he will testify as an expert in his field and provide evidence.

Rufus is a fellow philosopher of Socrates. He also has a following of his own students and does not see the harm of Socrates' teachings. He will also mention that Socrates has had some disciples who have gone on to greatly help the government of Athens such as Chaerephon who very pro-democratic

Rufus will talk about the wisdom of Socrates and how he admires his ability to pursue any argument no matter where it goes. He will also testify how students have a bad habit of trying to show off their knowledge they have learned from their teacher before they properly know how to use it. He will tell a story of how a student of his insulted a nobleman and got Rufus thrown into jail for a couple of days as a result.

The defense attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the prosecution might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #1* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# VERENKIN

Verenkin is a rebuttal witness. He is called in to dispute testimony given by someone during the prosecution's presentation of their case. He will point out faults in their case for the defense.

He is the son of Anytus. He also is a student of Socrates and resents the fact that his father is prosecuting Socrates.

Verenkin will testify that the attack on Socrates is a conspiracy by the politicians, artisans, and poets to keep things the way they are in Athens. They feel that if Socrates teaches too many people to think for themselves, they will demand more rights and freedom and the upper class might lose their high position in Athenian society.

The defense attorneys prior to the trial will interview you, and they will prepare you with three or more questions they are going to ask you. You and the attorneys will come up with an answer to these questions together, which you will use during the trial. This is known as *preparing the witness*. Also be prepared to answer any questions the prosecution might ask you in the cross-examination. They can ask just about anything so make sure you stay in character and answer as your character would.

Write the questions your lawyer is going to ask you and the response you will give them.

*Question #1* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Response #1* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Question #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #2* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Question #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Response #3* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# The JURY

As members of the jury, you will need to select a jury foreman who is in charge of deliberation as well as reading the final verdict. The jury foreman is also responsible for reading this worksheet to the rest of the jurors.

A jury functions as the center of the justice system. They are the peers of the accused, in other words, regular people just like them, not involved in the every day life of the court system. Jurors must make the tough decision of whether the evidence against the accused is strong enough to convict (find them guilty) or to acquit (find them innocent). This decision is based on the review of the evidence that has been presented, not on opinion. If the evidence leads the juror to believe that the accused is guilty, then they should vote as thus. If, however, there is a shadow of doubt, in other words, the evidence is not strong enough to prove guilt, than they must vote not guilty.

Jurors should be unbiased, or have no prior judgment on the case before they enter the courtroom. Juries are selected from a pool of potential jurors who are asked questions by the prosecution and defense attorneys to see whether the person will make a good jury member for their case. The lawyers are allowed to dismiss only a certain amount of jurors. Once twelve people have been selected, these twelve may not discuss the case with any one else nor speak directly to the court during the trial. They are only to listen so as to be able to make a decision based on what they have heard.

After the closing arguments of the lawyers, the jury then deliberates, or reviews the case, behind closed doors away from the lawyers and judge. They are placed in a private conference room and must reach either a verdict of guilty or not guilty. They discuss the case among themselves to try to reach a unanimous decision. If they cannot all agree on the verdict, this is known as a hung jury and the accused can go free.

After their decision has been made, the jury once again enters the courtroom and the jury foreman reads the verdict to the court. If the jury finds the defendant guilty, they must then return to chambers in order to decide a sentence for the accused. They must determine a punishment that fits the crime within the law.

As citizens of Athens, you know nothing of Socrates except that he is accused of corrupting youth. As the jury, your main job is to listen to the case presented, and based solely on the evidence, make a decision. **Do not play favorites to your friends and find them guilty or not guilty based on personal feelings.**

During the preparation part of the trial, each jury member is responsible for reading about a famous trial and pretending you are a juror in this trial. After reading all of the evidence and information about the case, chose which verdict you would choose and why you would. You will write about this decision in a one-page synopsis telling what you picked and what convinced you to do so.