

Did Socrates intend to commit suicide? A rereading of the defense of Socrates in Xenophon's *Apology*

¿Tenía Sócrates la intención de suicidarse? Una relectura de la defensa de Sócrates en la *Apología* de Jenofonte

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Abstract

In recent years, several commentators have argued that Socrates, at the time of his trial, intended to die, and that he therefore used *megalêgoria* ("boasting") to provoke his judges into condemning him to death. Contrary to this reading of the *Apology*, I shall endeavor to show that Socrates actually defends himself during his trial, and that the intention behind his choice of *megalêgoria* is not to provoke his judges into condemning him to death.

Keywords: Xenophon, Socrates, *Apology of Socrates*, *Memorabilia*, suicide, *megalêgoria*, trial.

Resumen

En los últimos años, varios comentaristas han argumentado que Sócrates, en el momento de su juicio, tenía la intención de morir, y que por lo tanto utilizó

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la *megalêgoria* ("jactancia") para provocar a sus jueces a condenarlo a muerte. En contra de esta lectura de la *Apología*, me propongo demostrar que Sócrates se defiende a sí mismo durante el proceso, y que la intención de su *megalêgoria* no es provocar a los jueces para que le condenen a muerte.

Palabras-clave: Jenofonte, Sócrates, *Apología de Sócrates*, *Memorabilia*, suicidio, *megalêgoria*, juicio.

At the beginning of the *Apology*, Xenophon states that it is “worth memorializing also how Socrates, on being summoned to trial, deliberated about his defense and about the end of his life (ἄξιόν μοι δοκεῖ εἶναι μεμνησθαι καὶ ὡς ἐπειδὴ ἐκλήθη εἰς τὴν δίκην ἐβουλεύσατο περὶ τε τῆς ἀπολογίας καὶ τῆς τελευτῆς τοῦ βίου)”². We are now faced with a major paradox: although Xenophon’s stated purpose in the *Apology* is largely to set out Socrates’ deliberation about his defense and death, it seems, judging by the conflicting interpretations that are put forward regarding Socrates’ intention, that Xenophon did not succeed in clarifying as much as he would have liked the nature of the intention behind Socrates’ defense during his trial. According to recent interpreters³, Socrates deliberately chose to provoke his judges in order to obtain his death sentence. Since Socrates was convinced, even before his trial began, that death was now preferable to life, he chose *megalêgoria*⁴ (“boasting”) as an appropriate means⁵ or instrument to obtain what he wanted from his judges, namely death. For these interpreters, Socrates’ strategy is intentionally suicidal: convinced that death is now preferable to life, Socrates does not take his own life, but his behaviour can nevertheless be described as suicidal insofar as he deliberately provokes his judges to condemn him to death⁶. In a previous study⁷, I objected to this reading of the *Apology*, because this is not, as it seems to me, how we must understand Socrates’ choice of displaying *megalêgoria*. Allow me to reiterate the essence of my position, as I set it out in 2005. As Socrates has to abandon, due to the intervention of the *daimonion*, the preparation of his defense in a rhetorical form (cf. *Ap.* 8), and as he knows full well, moreover, that only the use of rhetoric would allow him to move the judges to pity and to favourably dispose them towards him, there rests only for him an unartificial defense, exalting the *ergon* of a life that conforms to justice, declaring proudly the virtues and merits that are his own. *Megalêgoria*,

² *Ap.* 1 (tr. Marchant/Henderson). The quotes from the *Apology* and the *Memorabilia* all come from the Marchant edition (2013).

³ See especially Danzig 2014 and Johnson 2021.

⁴ On the nature and function of *megalêgoria*, cf. below, section 4.

⁵ Danzig (2014: 155) presents *megalêgoria* as an “effective means” for obtaining death.

⁶ Cf. Danzig 2014: 155, 156, 166, 175, 179; Johnson 2021: 110.

⁷ See Dorion 2005.

then, is not one suicidal tactic among others, to which Socrates has recourse, by way of a cynical calculation, to obtain his condemnation to death, but rather the only mode of defense on which can depend one who has abandoned rhetoric, is wary of the *elenchus*⁸ and sincerely believes in the exemplary nature of his life⁹. In 2014, almost ten years after the publication of my study, G. Danzig devoted a long article to Socrates' *megalêgoria*, in the *Apology*, which consists, for the most part, of a critique, if not a refutation, of my position¹⁰. Like several interpreters before him¹¹, Danzig maintains that Socrates' intention is suicidal. Given that this reading of the *Apology* seems wrong to me, and that it raises an important methodological problem, I think it useful to respond to Danzig, and to those who subscribe to his position, with new arguments and by criticising certain principles of reading which seem to me to be questionable.

1. The defense of Socrates in the *Memorabilia*

In his recent work on Xenophon's Socratic writings, D. Johnson devotes a long chapter to the *Apology*¹². One of his main theses, which he abundantly repeats¹³, is that Socrates does not defend himself in the *Apology*¹⁴. Johnson is obviously referring to §§4 and 8, where Socrates reports that the divinity intervened to prevent him from preparing a defense. The reason for this intervention, as Socrates interprets it, is that the god grants him a timely death, since he will escape the procession of ailments that accompany old age. Encouraged by the god, Socrates gives up defending himself, and the *megalêgoria* he displays during his trial is, according to Johnson¹⁵, a deliberate strategy to provoke and alienate the jury so that he gets what he wants, which is a death sentence.

⁸ See Bandini & Dorion 2000: CXVIII-CLXXXII. It seems revealing to me that Xenophon's Socrates, unlike his Platonic false twin, does not call upon the *elenchus* during his exchange with Meletos during the trial (cf. *Ap.* 19-21).

⁹ My interpretation was endorsed by Pontier 2015: 70: "and we agree with the position of Louis-André Dorion, who refuses to consider that the *megalêgoria* of Socrates is a suicidal strategy intended to annoy the judges." (my translation) Pontier's study (2015) consolidates my position by providing an important complement that I will present at the end of the present study.

¹⁰ Danzig 2014: 158: "In this paper, I will review Dorion's interpretation, showing why it is not persuasive, and argue that the speech is indeed a provocation aimed at achieving a death-sentence."

¹¹ According to several commentators (Lacey 1971: 34; Allen 1980: 35; Brickhouse & Smith 1989: 60-62; Vlastos 1991: 292; Azoulay 2004: 272; Waterfield 2012: 270), Socrates would have used the judicial process to commit suicide. These commentators only comment on the suicidal intention of Xenophon's Socrates. On the question of whether Plato's Socrates would also have engaged in suicidal behavior during his trial, see Duff 1983, Peterman 1984, Warren 2001.

¹² Cf. 2021: 110-146.

¹³ Cf. 2021: 117 (bis), 118, 124 ("unapologetic *Apology*"), 128, 134 ("unapologetic *Apology*").

¹⁴ Cf. also Johnson 2017: 119.

¹⁵ Johnson agrees with Danzig on this.

Unlike Johnson, I do not believe that Socrates gave up his defense. My first argument comes from an important passage in Book 4 of the *Memorabilia*:

As for his claim that he was forewarned by his divine sign what he ought to do and what not to do, some may think that it must have been a delusion because he was condemned to death. But they should remember two facts. First, that he had already reached such an age that had he not died then, death must have come to him soon after. Second, he escaped the most irksome stage of life and the inevitable diminution of mental powers, and instead won glory by the moral strength revealed in the wonderful honesty and frankness and probity of his defense (τήν τε δίκην πάντων ἀνθρώπων ἀληθέστατα καὶ ἐλευθεριώτατα καὶ δικαιοτάτα εἰπών), and in the equanimity and manliness with which he bore the sentence of death. (4.8.1)

The end of the passage, in particular the expression τήν τε δίκην πάντων ἀνθρώπων ἀληθέστατα καὶ ἐλευθεριώτατα καὶ δικαιοτάτα εἰπών, deserves detailed comment. The expression δίκην ... λέγειν, which is attested by many authors¹⁶, means “to pronounce a defense”¹⁷. Now Socrates, according to Xenophon, not only pronounced a defense, but he defended himself in the truest (ἀληθέστατα), freest (ἐλευθεριώτατα) and fairest (δικαιοτάτα) way. The last two (ἐλευθεριώτατα καὶ δικαιοτάτα) of the three adverbs Xenophon uses to qualify the way Socrates defended himself correspond to two of the three virtues that the Pythia, in the *Apology* (14), attributes to Socrates: no one was freer (ἐλευθεριώτερον), nor more just (δικαιοτέρον) nor more moderate (σωφρονέστερον) than him. The correspondence between these two texts is probably not accidental, and it suggests that Socrates defended himself in the same way that he distinguished himself in his life. If Socrates’ defense was the truest (ἀληθέστατα), this entails that the *megalêgoria* he displayed, on the occasion of his trial (cf. *Ap.* 1), was truthful and justified, i.e. that he attributed to himself qualities and virtues that he actually possessed¹⁸.

Judging by this passage from the *Memorabilia*, Xenophon has no doubt that Socrates really did defend himself at his trial. If Socrates took pains to defend himself truthfully, freely and justly, it is clearly impossible to argue that he did not defend himself and that he even deliberately chose to provoke his judges in order to obtain his death sentence. Danzig and Johnson have, however, objected that it is not legitimate to interpret the *Apology* on the basis of the *Memorabilia* insofar as the perspective of the *Apology* is not that of the

¹⁶ Cf. Ar. *Ran.* 776-777 (ἦν δίκην λέγει μακράν τις); Isea. 3.22 (ὅς ἔλεγε τὴν δίκην ὑπὲρ τούτου); Isoc. *Antid.* (XV), 40; 47; Plut. *Dem.* 12.3; Cic. 26.3; Diog. Laert. 1.84, 1.85, 2.38, etc.

¹⁷ Cf. LSJ, s.v. δίκη, IV 2b: “δίκην εἰπεῖν, to plead a cause”. Here are some other translations of τὴν τε δίκην πάντων ἀνθρώπων ἀληθέστατα καὶ ἐλευθεριώτατα καὶ δικαιοτάτα εἰπών: “by pleading his cause with unparalleled veracity, dignity and integrity” (Waterfield 1990); “in making the most honest, dignified, and scrupulously legal speech in his defence” (Hammond 2023).

¹⁸ Cf. Dorion 2005: 127-135.

*Memorabilia*¹⁹. Before addressing this objection, I think it relevant to point out that both Danzig and Johnson²⁰ neglect the reference to Socrates' defense in *Mem.* 4.8.1. Danzig quotes this passage only once, which he translates²¹ as follows: Socrates "displayed his strength of spirit and won repute (*eukleian*) by speaking with great truthfulness, with the dignity of a free man, and with great justice"²². As can be seen, Danzig does not translate the expression δίκην ... εἰπών, since he isolates εἰπών from δίκην by translating the participle as 'by speaking' and omitting to translate δίκην. As a result of this faulty translation, Danzig completely overlooks the most explicit mention of Socrates' defense delivered at his trial. What is more, immediately after quoting this passage from *Mem.* 4.8.1, Danzig adds:

According to Dorion, this makes it clear that Socrates made a serious defense speech rather than a provocation. However, *speaking* (sic) with truthfulness, dignity and justice is in fact consistent with deliberate provocation²³.

Danzig attributes to me the interpretation according to which this passage states that Socrates made a serious defense; however, this is not my interpretation ("According to Dorion"), but Xenophon's own text, which Danzig misrepresents by reporting that Socrates merely "spoke"²⁴. As to whether Socrates' defense is a "deliberate provocation", I will deal with that later²⁵.

2. A question of method: can we read the *Apology* in the light of the *Memorabilia*?

After this clarification concerning the translation of the expression δίκην ... εἰπών in *Mem.* 4.8.1, let us come to the objection that I would not be justified in interpreting the *Apology* in the light of the *Memorabilia*, on the

¹⁹ Cf. Danzig 2014 : 162. Johnson 2021: 114: "But Gabriel Danzig (2014) has well shown that Dorion relies too heavily on the *Memorabilia* to gloss the *Apology*, as in the later work Socrates' desire to die does explicitly motivate his manner of speaking, which is not simply forthright and honest but designed to antagonize the jurors (*Apol.* 32)." On this criticism of Johnson, see also below, p. 7-8.

²⁰ Johnson often refers to the beginning of *Mem.* 4.8.1 (cf. 2021: 62, 81, 120, 121), but never to the end of the passage, where Xenophon asserts that Socrates has defended himself in the truest, fairest and most moderate way.

²¹ Danzig points out at the beginning of his article (2014: 156 n.2) that he has translated all the texts cited in his study.

²² 2014: 160 n.12.

²³ 2014: 160 n.12 (my italics).

²⁴ See also p.182, where Danzig paraphrases *Mem.* 4.8.1: "He gained glory (*eukleia*) by the truthful and just manner in which *he spoke*, a manner befitting a free person." (my italics) As can be seen, Danzig systematically omits the expression δίκην λέγειν, which means that Socrates has made a defense.

²⁵ See below, section 4.

grounds that I would thereby ignore the fact that these two texts pursue different aims. This objection raises an important methodological question²⁶, namely whether or not one is entitled to interpret a text by Xenophon by drawing on passages from other works in his corpus. I have long been firmly convinced that Xenophon's thought is remarkably homogeneous throughout his work, so that it is often useful to compare parallel passages from different works, because one passage can provide a complement that enriches the interpretation of another passage. In my view, then, there is no objection in principle to reading a passage from one work in the light of another²⁷. But what about parallel passages that pursue different objectives? In the case of the *Memorabilia* and the *Apology*, I would recall that I myself stressed, before Danzig, that these texts each have their own aim:

Si l'on prend en considération les trois textes qui traitent du procès de Socrate (*Mém.* I 1-2, IV 8 et *Apologie*), on constate qu'ils ont chacun une perspective qui leur est propre : l'*Apologie* cherche à justifier la *μεγαληγορια* de Socrate, *Mém.* I 1-2 a pour objectif de réfuter les accusations « officielles » de 399 et celles contenues dans le pamphlet de Polycrate, alors que *Mém.* IV 8 cherche à montrer que Socrate n'a pas été abandonné par la divinité à la veille de son procès. Les trois textes ont donc des visées bien précises qui leur sont propres²⁸.

The fact that these texts have different aims does not, in my view, in any way prevent us from supplementing one text with another whenever this is relevant. After all, the subject of these texts remains the same, namely the trial and defense of Socrates, and it cannot be argued that Xenophon wrote three texts on the same subject that would be completely impervious to each other and would therefore have to be read in isolation from each other! But what if these three texts had aims that were not only *different*, but also *divergent*, as Danzig maintains²⁹? In that case, I readily admit that it would be a methodological error to interpret one text in the light of another text with a *divergent* aim. But is this really the case with the *Apology* and the *Memorabilia*? This is what Danzig asserts, but we must admit he is satisfied with the assertion and does not achieve its demonstration³⁰. As far as I am concerned, I do not see any

²⁶ Cf. Danzig 2014: 162 n.16: "The use of a parallel text to clarify the meaning of *Apology* raises an important methodological question." I agree that this is an important methodological question, but my answer to it is the opposite of Danzig's.

²⁷ It is precisely because of my deep conviction that Xenophon's various texts illuminate each other that I often introduce, either as appendices to my translations, or within my studies themselves, tables in which I list parallel passages between these different texts.

²⁸ Bandini & Dorion 2011: 243-244. See also Johnson 2021: 121: "The most obvious difference between the accounts of the trial in the *Memorabilia* and the *Apology* is that while the *Apology* is all about boasting (*megalegoria*), there is no mention of Socrates' boasting in the *Memorabilia*."

²⁹ Cf. 2014: 181, where Danzig twice uses the expression "divergent aims". The same expression is also used on the following page (182).

³⁰ In an appendix to his article, entitled "Xenophon's Apologies for Socrates: two texts, two aims",

discrepancy between the respective aims of the *Memorabilia* (1.2, 4.8) and the *Apology*³¹, so I see no obstacle to reading one text in the light of the other³².

Johnson's position, as far as the legitimacy of a "cross-reading" of the *Apology* and the *Memorabilia* is concerned, is closer to mine than to Danzig's. Although he agrees with Danzig when the latter criticizes my reading of the *Apology* in the light of the *Memorabilia*³³, he indeed often stresses, in the long chapter he devotes to the *Apology*, that the text is fundamentally in agreement (cf. above, n.31) with *Mem.* 4.8. He also devotes a long paragraph to the methodological problem raised by Danzig in his 2014 article. Because of the interest of this paragraph, I reproduce it here in full:

Attentive readers will have noticed that I have used *Memorabilia* 4.8 to gloss the *Apology*, thus assuming that the two provide a consistent account of Socrates' death. Danzig (2014), however, is right to note that there is a danger in using the *Memorabilia* in this way, as the two passages have different rhetorical goals: while the *Apology* aims to show that Socrates' boasting was not foolish, the *Memorabilia* passage aims to show that Socrates' execution was not due to divine neglect. I will add that here as elsewhere the *Memorabilia* is more interested in showing Socrates' benefit to others than the *Apology* is. But the passages obviously share much of the same language and thought, and Xenophon's different rhetorical goals do not reflect any change in his understanding of Socrates³⁴.

Danzig analyzes the parallel passages in *Mem.* 4.8 and the *Apology* (p.181-187). This analysis shows that the two texts have different aims—but we already knew that!—, not that they are divergent.

³¹ Johnson is also of the opinion that Socrates' defense is fundamentally the same in the *Memorabilia* (4.8) and the *Apology*, but that the tone is different, which obviously does not mean that the aims of these two texts are divergent. Cf. 2021: 110-111: "I will argue that the *Memorabilia* account of the trial differs from that in Xenophon's *Apology* in tone rather than substance, reflecting Xenophon's different intent in writing the two works, rather than any substantive change in his view of the trial." See also p.113: "I will argue below that there is little difference between the substance of the defense of Socrates in the *Apology* and that in the *Memorabilia*, though there is a great difference in tone." Finally, see p.124, where Johnson reaffirms this position.

³² I therefore completely disagree with the conclusion of Danzig's article (2014: 187): "it would be a mistake to import material from one version to supplement the other. Since *Apology* focuses on Socrates' behavior, it would be a mistake to argue that his behavior as portrayed in *Apology* can be clarified by reference to statements in *Memorabilia*, where this is not the focus. [...] Similarly, to argue that Socrates' behavior in court was a serious attempt to win an acquittal because such a conclusion could arguably, if mistakenly, be derived from *Memorabilia* would be to make the same mistake." This quotation shows once again the extent to which Danzig misinterprets *Mem.* 4.8.1 (cf. above, p.5), where Xenophon expressly states that Socrates defended himself (δικην ... εἰπόν) in the truest, freest and fairest manner, not because he was seeking acquittal, but because the god had objected to his uttering a rhetorical defense and the defense he finally uttered—for there is no doubt that he did—was the only one worthy of him. In spite of Danzig, and despite the fact that the *Memorabilia* and the *Apology* have *different*—not *divergent*—aims, I still believe that Xenophon's position, as set out in these two texts, is coherent, and that the interpreter of the *Apology* cannot therefore overlook *Mem.* 4.8.1.

³³ Cf. Johnson 2021: 114 (quoted above, n.19). I will comment on Johnson's reproach below.

³⁴ 2021: 120.

In short, even if Danzig “is right to note that there is a danger in using the *Memorabilia* in this way”, i.e. to gloss the *Apology*, Johnson will nevertheless do so because “the passages [*sc. Apology* and *Mem.* 4.8] obviously share much of the same language and thought, and Xenophon’s different rhetorical goals do not reflect any change in his understanding of Socrates”. Let me recall that Danzig is not content with asserting that “the two passages have different rhetorical goals”; indeed, as we have seen, Danzig is in fact arguing that the two texts have “divergent aims”. While he readily acknowledges that the two texts have different rhetorical aims, Johnson would probably not acknowledge that they have divergent aims, since he stresses that the two texts “provide a consistent account of Socrates’ death”. Finally, given that Johnson considers that the two texts “obviously share much of the same language and thought”, and that for this reason he does not refrain from using “*Memorabilia* 4.8 to gloss the *Apology*”, why then does he reproach me, following Danzig, for relying “too heavily on the *Memorabilia* to gloss the *Apology*”³⁵? Why does he reproach me for doing what he himself allows? Is that not inconsistent? Is it really relying “too heavily” on the *Memorabilia* to appeal to a *single passage* in the *Memorabilia* (4.8.1)—which Danzig and Johnson superbly ignore—where Xenophon reports that Socrates defended himself in the truest, freest and fairest manner? Is it really abusive for me to stress the importance of this passage when dealing with Socrates’ defense in the *Apology*?

If we subscribe to Danzig’s position, the scope of *Mem.* 4.8.1 is limited to the text of the *Memorabilia* alone. We can immediately see that this amounts to introducing an unbearable contradiction between the two parallel texts in which Xenophon deals with Socrates’ defense, since he would acknowledge, in the *Memorabilia*, that Socrates defended himself, whereas he would argue the opposite in the *Apology*. Personally, I find it hard to believe that Xenophon could have contradicted himself so blatantly between two texts that both deal with the trial of Socrates and between which there are numerous parallels; moreover, there are also passages in the *Apology* that suggest that Socrates defended himself. That said, even if there is no statement in the *Apology* as explicit as the one in *Mem.* 4.8.1 about Socrates’ defense during his trial, the text of the *Apology* attests that Socrates did not give up defending himself. This is what I shall try to highlight in the next section.

³⁵ 2021: 114.

3. Socrates' defense in the *Apology*

Let us now turn to the *Apology* and try to shed some light on the way Socrates defends himself at his trial. The first passage to consider is the following:

“But Socrates, shouldn't you be giving some thought to what defense you're going to make (Οὐκ ἔχρην μέντοι σκοπεῖν, ὦ Σώκρατες, καὶ ὅ τι ἀπολογία;)?” He said that Socrates at first replied, “Why, don't I seem to you to have spent my whole life practicing my defense (ἀπολογεῖσθαι μελετῶν διαβεβιωκέμαι;)” Then when he asked, “How so?” Socrates said, “Because I've lived a life without wrongdoing (οὐδὲν ἄδικον διαγεγένημαι ποιῶν), and that I consider the finest practice for a defense (νομίζω μελέτην εἶναι καλλίστην ἀπολογίας).” (*Ap.* 3)

The best way to prepare one's defense is not to prepare a speech, but to argue that one's life is free from injustice and unjust acts. It would be a mistake not to take this passage seriously, since Xenophon expresses the same idea on at least two other occasions³⁶, notably in the *Oeconomicus*:

“As a matter of fact,” I said, “I was meaning to ask you, Ischomachus, whether you include in your system the ability to conduct a prosecution or a defense, in case you have to appear in court?”
“Why, Socrates,” he answered, “don't you realize that this is exactly what I am constantly practicing (διατελεῖν μελετῶν)—proving that I wrong no one (ἀπολογεῖσθαι μὲν ὅτι οὐδένα ἀδικῶ) and do all the good I can to many?” (11.22)

Like Socrates in the *Apology*, Ischomachus continually strives to defend himself by not committing any injustice³⁷. The second passage in which Xenophon expresses the same conviction is in Book 4 of the *Memorabilia*, in the conversation between Socrates and Hippias on the nature of justice:

“But I swear you won't hear unless you first declare your own opinion about the nature of justice; for it's enough that you mock others, questioning and examining everybody, and never willing to render an account yourself or to state an opinion about anything.” [10]

³⁶ In addition to the parallel passage from *Mem.* 4.8.4: “I [*sc.* Hermogenes] told him that he ought to be thinking about his defense (ὡς χρὴ σκοπεῖν ὅ τι ἀπολογίσηται). His first remark was, ‘Don't you think that I have been preparing for it all my life? (Οὐ γὰρ δοκῶ σοι τοῦτο μελετῶν διαβεβιωκέμαι;)’ And when I asked him how, he said that he had been constantly occupied in the consideration of right and wrong and in doing what was right and avoiding what was wrong, which he regarded as the best preparation for a defense (πράττων δὲ τὰ δίκαια καὶ τῶν ἀδικῶν ἀπεχόμενος, ἥνπερ νομίζοι καλλίστην μελέτην ἀπολογίας εἶναι).”

³⁷ Unlike Danzig (2010: 118 n.10, 248, 254), I see no significant divergence between Socrates' and Ischomachus' positions (cf. Dorion 2018: 533-537).

“Indeed, Hippias! Haven’t you noticed that I never cease to declare my notions of what is just?”

“And how can you call that an account?”

“I declare them by my deeds, anyhow, if not by my words (Εἰ δὲ μὴ λόγῳ, ἔφη, ἀλλ’ ἔργῳ ἀποδείκνυμαι). Don’t you think that deeds are better evidence than words (ἢ οὐ δοκεῖ σοι ἀξιοτεκμαρτότερον τοῦ λόγου τὸ ἔργον εἶναι;)?”

“Yes, much better, of course; for many say what is just and do what is unjust; but no one who does what is just can be unjust.” [11]

“Then have you ever found me dealing in perjury or extortion, or stirring up strife between friends or fellow citizens, or doing any other unjust act?”

“I have not.”

“To abstain from what is unjust is just, don’t you think (Τὸ δὲ τῶν ἀδίκων ἀπέχεσθαι οὐ δίκαιον ἦγῃ;)?” (4.4.9-11)

So it is through his actions, and not through speech, that Socrates reveals what he considers to be right. There is a very interesting parallel to be drawn between the *Apology* and this passage from the *Memorabilia*: just as, in the *Apology*, Socrates believes that his life free of injustice is the best defense, so that he does not need a *logos* to defend himself, so, in the *Memorabilia*, he considers that his actions are enough to reveal his conception of justice, and that he therefore does not need to formulate this conception with a *logos*. At the end of this extract from *Mem.* 4.4, Socrates defends himself from having committed unjust acts and concludes that he has lived justly, which is exactly the line of defense expressed in §3 of the *Apology*.

Is it really true, as Socrates says in the *Memorabilia* (4.4.10), that deeds are better evidence than speeches? The *ergon* is a better proof insofar as, as Hippias explains (4.4.10), one cannot be unjust if one has not committed any injustice, whereas one who says just things may very well have committed injustices. I think it’s worth comparing this explanation with Hermogenes’ objection to Socrates after he says that the best defense is not to commit any injustice:

Then when Hermogenes again asked, “Don’t you observe that the Athenian courts have often been carried away by an eloquent speech and have condemned innocent men to death, and often on the other hand the guilty have been acquitted either because their plea aroused compassion or because their speech was charming?”

“Yes, indeed!” he answered; “and I’ve tried twice already to look to my defense, but the divinity opposes me (καὶ δις ἤδη ἐπιχειρήσαντός μου σκοπεῖν περὶ τῆς ἀπολογίας ἐναντιοῦτάι μοι τὸ δαιμόνιον)”³⁸.

Whatever Socrates and Hippias think, speech seems to be more effective than deeds, since it can just as easily convict the innocent as acquit the guilty. When Socrates asserts that it is impossible to be unjust if one’s actions are

³⁸ *Ap.* 4 (tr. Marchant/Henderson modified). See also the parallel passage in *Mem.* 4.8.5.

just, he is reasoning in the absolute, or rather as if he were alone, accountable to no one but himself, and without taking into account the judicial context, where it is not enough to assert that one has not committed unjust acts in order to be exonerated. The proof that Socrates himself recognises the relevance of Hermogenes' objection, and the inadequacy of the position he expresses in the *Memorabilia*, is that he himself acknowledges, at the end of §4, that he thought of preparing a defense, but that the divinity (τὸ δαίμονιον) objected.

There are therefore, in the *Apology*, two types of defense that are evoked by Socrates: the first, evoked in §3, consists in arguing the justice of his acts and that he has never committed an injustice; the second, evoked in §4, is a defense based on a *logos*, and not only on deeds, and whose relevance seems to derive from the observation of the inadequacy of the first type of defense. Does the divinity's opposition to Socrates preparing a defense only concern the second type of defense, or does it also extend to the first type? In the second passage where Socrates reports the god's opposition, there is a clear reference to a *logos*:

ὀρθῶς δὲ οἱ θεοὶ τότε μου ἡγαντιοῦντο, φάναι αὐτόν, τῇ τοῦ λόγου ἐπισκέψει ὅτε ἐδόκει ἡμῖν ζητήεα εἶναι ἐκ παντὸς τρόπου τὰ ἀποφευκτικά.

“It was with good reason,” Socrates continued, “that the gods opposed my giving thought to my speech at least at that time, when we thought we had to find a plea that would get me acquitted by any means.” (*Ap.* 8)

The expression ἐκ παντὸς τρόπου must hold our attention. When the gods objected to his preparing a *logos* to defend himself, Socrates sought “at all costs” or “by all means” (ἐκ παντὸς τρόπου) the means to escape condemnation (τὰ ἀποφευκτικά). These means are not necessarily arguments, but rather the various “tricks” that fall within the rhetorical arsenal (self-pity, showing off the children who will soon be orphans, etc.). The divinity therefore seems to be opposed to Socrates preparing a rhetorical *logos* that would use all the means usually employed by orators to obtain an acquittal. Nevertheless, Socrates does not remain silent during his trial, so it seems to me justified to make a distinction between two types of discourse: on the one hand, rhetorical discourse (to which the divinity is opposed), and on the other, an unartificial discourse through which Socrates exalts the *ergon* of his life³⁹. This passage confirms that the

³⁹ Danzig (2014: 160-161) considers my distinction between two types of speech to be unfounded, on the grounds that Socrates “understood the *daimonion* to oppose the preparation of any speech at all.” (p.161) According to Danzig, “there are no two kinds of speeches at issue, but rather two options: to prepare a speech or not to prepare one. In obedience to the divine, Socrates does not prepare any kind of speech. The speech Socrates delivers in court is not a prepared speech but a spontaneous one” (161). Danzig himself acknowledges that Socrates delivers a speech on the occasion of his trial, and that this speech is not, from a formal point of view, of the same nature as the one opposed by the divinity. In other words, Danzig finally recognizes that there are indeed two types of speech, and it’s

god's opposition concerns only the defense based on *logos*, and not the defense based on *ergon*. Further confirmation can be found in the rest of the *Apology*, where Socrates twice defends himself by arguing that he has done no injustice. Let's look at the first passage:

More than this of course was said both by Socrates himself and by the friends who joined in his defense. But I have not made it a point to report the whole trial; rather I am satisfied to make it clear that while Socrates' whole concern was to keep free from any act of impiety toward the gods or any appearance of wrongdoing toward mankind (ἀλλ' ἤρκεσέ μοι δηλῶσαι ὅτι Σωκράτης τὸ μὲν μήτε περι θεοῦς ἀσεβῆσαι μήτε περι ἀνθρώπους ἄδικος φανῆναι περι παντὸς ἐποιεῖτο). (*Ap.* 22)

By Xenophon's own account, his point (ἤρκεσέ μοι) was to show (δηλῶσαι) that Socrates was making a big deal (περὶ παντὸς ἐποιεῖτο) of revealing (φανῆναι) that he had been neither ungodly to the gods nor unjust to men. Xenophon's statement is thus entirely consistent with the line of defense evoked by Socrates in §3, where he asserts that the finest defense consists in never having committed injustice. The second passage is along the same lines:

Now of all the acts for which the laws have prescribed the death penalty— temple robbery, burglary, enslavement, treason—not even my adversaries themselves charge me with having committed any of these. And so it seems astonishing to me how you could ever have been convinced that I had committed an act meriting death (ὄπως ποτὲ ἐφάνη ὑμῖν τοῦ θανάτου ἔργον ἄξιον ἐμοὶ εἰργασμένον). (*Ap.* 25)

Here Socrates is defending himself against having committed unjust acts, and he challenges his opponents to show that he has done so. He who has not committed unjust acts, as Socrates argues in *Mem.* 4.4, is necessarily just. Socrates' defense here is based on the *ergon*⁴⁰.

4. The *megalêgoria* and the alleged intention to provoke the jury

It is not enough to show, against Danzig and Johnson, that Socrates defends himself in the *Apology*, for these interpreters maintain not only that Socrates does not defend himself, but also, and above all, that he deliberately provokes the jury in order to obtain his death sentence. We are dealing here

not clear to me how his position differs fundamentally from mine, especially as I've never argued that the speech presented at the trial was a "prepared" speech.

⁴⁰ See also *Mem.* 1.2.62: "Under the laws, death is the penalty inflicted on persons proved to be thieves, highwaymen, cut-purses, kidnapers, robbers of temples; and from such criminals no one was so widely separated as he was."

with intention, and it is usually very difficult, and quite risky, to demonstrate that a character has such and such an intention, unless the author expressly lends it to him. As I said at the beginning of this study, the paradox of the *Apology* is that, although Xenophon sets out at the beginning of the *opusculum* to clarify the intention behind Socrates' use of the *megalêgoria*, there is no consensus among interpreters as to the exact nature of this intention. Xenophon does not attribute to Socrates the intention to die⁴¹, but rather the conviction that death was now preferable to life (cf. *Ap.* 1, cited below). The position shared by Danzig⁴² and Johnson⁴³ is to establish a direct link between this conviction and the intention to provoke the jury in order to obtain his death sentence. Such a reading of the *Apology* seems to me to be erroneous, and in the rest of this study I shall endeavour to show that Socrates does not choose *megalêgoria* as a means or an instrument with which to obtain what he is seeking, namely a death sentence.

The first text to be considered is obviously the first paragraph of the *Apology*:

Σωκράτους δὲ ἄξιόν μοι δοκεῖ εἶναι μεμνησθαι καὶ ὡς ἐπειδὴ ἐκλήθη εἰς τὴν δίκην ἐβουλεύσατο περὶ τε τῆς ἀπολογίας καὶ τῆς τελευτῆς τοῦ βίου. γεγράφασι μὲν οὖν περὶ τούτου καὶ ἄλλοι καὶ πάντες ἔτυχον τῆς μεγαληγορίας αὐτοῦ· ᾧ καὶ δῆλον ὅτι τῶ ὄντι οὕτως ἐρρήθη ὑπὸ Σωκράτους. ἀλλ' ὅτι ἦδη ἑαυτῶ ἠγεῖτο αἰρετώτερον εἶναι τοῦ βίου θάνατον, τοῦτο οὐ διεσαφήνισαν· ὥστε ἀφρονεστέρα αὐτοῦ φαίνεται εἶναι ἡ μεγαληγορία.

I think it worth memorializing also how Socrates, on being summoned to trial, deliberated about his defense and about the end of his life. It is true that others have written about this, and all of them have captured his boasting—obviously that was the sort of speech Socrates actually made—but what they have not made clear is that he already thought that for him death was preferable to life, so that his boasting appears ill-considered⁴⁴.

Socrates therefore did deliberate about his defense and death (ἐβουλεύσατο περὶ τε τῆς ἀπολογίας καὶ τῆς τελευτῆς τοῦ βίου). He considered that death was now preferable (αἰρετώτερον) to life and he displayed *megalêgoria*. Does this mean that he displayed *megalêgoria* in order to be sentenced to death? In other words, was it his intention to speak arrogantly so as to provoke the judges and

⁴¹ Johnson asserts (2021: 114) that Socrates has a “desire to die”, which seems clearly abusive to me. In the same vein, Danzig (2014: 5) attributes a “death-wish” to Socrates. See also below, n.43.

⁴² Cf. 2014, p.164 (quoted below, n.46).

⁴³ Cf. 2021: 114: “Socrates’s desire to die does explicitly motivate his manner of speaking, which is not simply forthright and honest but designed to antagonize the jurors (*Apol.* 32).” See also 2021: 140: “Xenophon clarifies Plato’s account by showing that Socrates’ boasting at his trial was designed to secure a guilty verdict. Xenophon does this most obviously by stating that this was Socrates’ intention.”

⁴⁴ *Ap.* 1 (tr. Marchant/Henderson slightly modified)

thus obtain a death sentence? Some claim that this reading is authorised by the following passage, which immediately follows the one just quoted:

Ἑρμογένης μὲντοι ὁ Ἱππωνίκου ἑταῖρός τε ἦν αὐτῶ και ἐξήγγειλε περι αὐτοῦ τοιαῦτα ὥστε πρέπουσαν φαίνεσθαι τὴν μεγαληγορίαν αὐτοῦ τῆ διανοία.

Hermogenes, the son of Hipponicus, however, was a companion of his and has divulged such reports as show that the boasting of his speech suited his state of mind⁴⁵.

Does this passage justify the interpretation of those who claim that Socrates' intention was to show *megalêgoria* in order to provoke the jury and thus get himself sentenced to death⁴⁶? Nothing is less certain. First of all, it must be emphasised that Xenophon never expressly states that Socrates intended to die⁴⁷. So what does his *dianoia* consist of, and why is it consistent with his *megalêgoria*? Socrates' *dianoia* can only be the conviction mentioned in §1, namely that death was now preferable to life⁴⁸. Even if the term *διανοία* can have the meaning of "intention", this is not how it should be understood if it is true that it refers to the thought expressed in §1, namely that death is now preferable to life. It is better to translate it by a more neutral term than "intention", such as "thought" or "state of mind"⁴⁹. The fact that Socrates' *megalêgoria* was consistent with his *dianoia* does not mean that he deliberately and knowingly chose to provoke the jury in order to obtain his death sentence. The interpretation of the term *megalêgoria* is obviously crucial. As I have endeavoured to show elsewhere⁵⁰, Xenophon considers that *megalêgoria* is not necessarily negative and pejorative, as arrogance is; there are indeed situations in which it is relevant

⁴⁵ *Ap.* 2 (tr. Marchant/Henderson modified).

⁴⁶ Cf. Danzig 2014: 164: "The intention Xenophon refers to may be more easily conceived as the intention of provoking the judges into condemning him to death."

⁴⁷ Danzig (2014: 168) himself acknowledges this: "Why doesn't Xenophon say explicitly that Socrates intended to die?" According to my interpretation, the answer to this question is simply that Socrates did not intend to die! Danzig's answer to the question he raises is that Xenophon "may have felt reluctant to explicitly ascribe suicidal intention when he has admitted that he was not in a position to confirm it." (2014: 168) This answer is not convincing, as it seems to me to be contradicted by the beginning of the *Apology*, where Xenophon criticizes those who wrote about Socrates' trial for not having sufficiently highlighted the ins and outs of his *megalêgoria* during the trial, which shows that Xenophon, despite his absence from Athens at the time of the trial, claimed to be in a better position to shed light on Socrates' *megalêgoria* than had those who had dealt with Socrates' trial, notably Plato.

⁴⁸ I thus respond to Danzig's objection (2014: 164), which criticizes me for defending a position according to which "his intention [sc. of Socrates] was something unconnected with his death".

⁴⁹ Translators and commentators of the *Apology* translate *διανοία* as follows: "le fond de sa pensée" (Chambray 1935); "sa façon de penser" (Ollier 1961); "intelligence" (Konstan 1987: 1); "thinking" (Waterfield 1990; Pucci 2002: 55); "decision" (Marchant 2013; Hammond 2023). The translation by "decision" seems to me to be unfortunate, since it clearly implies that Socrates has decided to die, whereas the text says nothing of the sort.

⁵⁰ Cf. 2005: 131-134.

and justified to be *megalêgoros*⁵¹, i.e. to proclaim loud and clear the qualities one believes one possesses⁵². And that's exactly what Socrates does at his trial: he doesn't defend himself with a *logos*, but he nevertheless *extols* the *ergon* of his life⁵³, insisting on his piety, his justice, the superiority he recognises in himself over other men, and the favours the gods have granted him. It's a form of *baroud d'honneur* ("last stand"), in the sense that the dictionary *Le Petit Robert* gives to this expression: "dernier combat d'une guerre perdue, pour sauver l'honneur". Was the purpose of the *megalêgoria* to provoke the jury, and was it Socrates' intention to do so? Danzig and Johnson are convinced that this is the case:

Xenophon makes it pretty clear that Socrates spoke offensively in court because he was eager to receive a death sentence⁵⁴.

Thus Socrates boasting before the jury naturally elicits disbelief and envy (*Apol.* 13) because he is boasting of his superiority to them. If this wasn't part of Socrates' intention, then Socrates didn't know what he was doing, which would not make for a very good defense of his approach to his trial⁵⁵.

In response to Danzig and Johnson, I will analyse a passage which seems to me to contradict their position. This passage is §9, where Socrates speculates on the possible consequences of resorting to *megalêgoria*:

"By Zeus no, Hermogenes," he went on, "I'll never court that fate, but if I offend the jury by declaring all the blessings that I feel gods and men have bestowed on me, as well as my personal opinion of myself (ἀλλ' ὅσων νομιζῶ τετυχηκέναι καλῶν καὶ παρὰ θεῶν καὶ παρ' ἀνθρώπων, καὶ ἦν ἐγὼ δόξαν ἔχω περὶ ἐμαυτοῦ, ταύτην ἀναφαίνων εἰ βαρυνῶ τοὺς δικαστάς), I will prefer death to begging, unlike a free man, for longer life and thus gaining instead of death a far inferior life (αἰρήσομαι τελευτᾶν μᾶλλον ἢ ἀνελευθέρως τὸ ζῆν ἐτι προσαιτῶν κερδᾶναι τὸν πολὺ χεῖρω βίον ἀντὶ θανάτου)." (*Ap.* 9)

Socrates very clearly envisages the possibility that his *megalêgoria*—revealing (ἀναφαίνων) the high opinion he has of himself and the favours he has received from gods and men⁵⁶—might upset his judges, and the conclusion

⁵¹ Cf. Pontier 2015: 63: "circumstances can force Xenophon's heroes to use *megalêgoria* wisely". (my translation)

⁵² Cf. *Cyr.* 4.4.1-3, 7.1.17; *Ag.* 8.2-3. See also Pontier's analysis of these passages (2015: 63).

⁵³ Pontier (2015: 60) agrees with my interpretation of Socrates' *megalêgoria* during the trial: "*Megalêgoria* does indeed consist, in Socrates' case, in making, by way of defense, the praise of his life." (my translation)

⁵⁴ Danzig 2014: 156. See also 158, 164.

⁵⁵ Johnson 2021: 114. *Contra*, cf. Shero 1927: 109: "I feel sure that we caricature Xenophon's thought if we say that he represents Socrates as deliberately provoking the jury for the purpose of getting himself condemned to death."

⁵⁶ According to Danzig (2014: 166), Socrates "says that he will offend the judges not by recounting

he draws from this is that this risk must not make him renounce it, for such a renunciation would force him to adopt an attitude that would be unworthy of him. It's one of two things: either Socrates proudly asserts the excellence of his life, at the risk of displeasing the judges; or he gives up exalting his life and basely begs to prolong it. Even before the trial begins, Socrates is perfectly aware that his *megalēgoria* could have the effect of upsetting the judges and encouraging them to condemn him to death⁵⁷; but just because he is aware of this does not mean that he intends to provoke the judges, as Danzig⁵⁸ and Johnson maintain. These two commentators reason “backwards”: given that Socrates annoyed the judges, he therefore intended to provoke them; and if he provoked them without intending to, then he didn't know what he was doing⁵⁹. Paragraph 9 shows precisely the opposite: Socrates was perfectly aware that his speech could provoke the judges, but he had no intention of doing so. It was a risk that he clearly perceived and which he decided to take with full knowledge of the facts, because he considered the alternative, namely to renounce the *megalēgoria* and beg for an extension of his life, to be unworthy of him. Socrates therefore knew perfectly well what he was doing: if the consequence of the *megalēgoria* is his death sentence, he will nonetheless choose to die (αἰρήσομαι τελευτᾶν) because it is better to die after having loudly proclaimed the exceptionality of his life, than to remain silent and basely beg for the prolongation of his existence. The choice of death is therefore not, as Danzig and Johnson maintain, an intention that presides over the decision to display

his merits and virtues (*pace* Dorion 2005: 132 = 2013: 309) but by recounting the good things he has gotten from gods and men and the high opinion he has of himself, subjects that seem more appropriate to an effort of provocation than to an honest effort to recount his own just way of life.” Danzig's distinction between, on the one hand, Socrates' merits and virtues, and, on the other, the good things he got from gods and men, seems to me to be false and completely artificial, insofar as it is precisely thanks to his merits and virtues that Socrates got good things from gods and men.

⁵⁷ Danzig (2014: 161) offers the following criticism: “But Dorion denies this connection between the *megalēgoria* and the preferability of death”. For Danzig, the only possible connection between the *megalēgoria* and the conviction that death is preferable is that Socrates chose the former in order to realize the latter. Paragraph 9 shows that the link between the two is of a different nature: Socrates chose *megalēgoria* not to be condemned to death, but rather despite his presentiment that this choice might irritate the judges and prompt them to do so.

⁵⁸ Curiously enough, Danzig (2014: 166) sees in §9 an “indication of suicidal intention”. I see no such indication. For the expression “suicidal intention”, see also 165 (quoted below, n.59) and 168.

⁵⁹ After reporting my interpretation, according to which “Socrates can be offensive without meaning to be. That would eliminate the suicidal intention even while acknowledging that the speech was offensive”, Danzig (2014: 165) exclaims: “However, it would make Socrates into an incompetent and foolish speaker, exactly what Xenophon wishes to deny!” In the same vein, see Johnson 2021: 114 (quoted above, 195) — §9 is precisely intended to overcome the objection raised by Danzig and Johnson. Indeed, §9 reveals that Socrates did not intend to provoke the judges by displaying *megalēgoria*, but that he was aware that his *megalēgoria* could have this consequence. Is Socrates therefore “an incompetent and foolish speaker”? I don't think so. On the contrary, it shows that Socrates foresaw exactly what the consequences of his speech might be—so he was not incompetent—and that consideration of these consequences did not make him back down or give up his choice to be *megalēgoros*, because the alternative before him was unworthy of him and the life he had led. He thus demonstrates nobility, dignity and contempt for death (he is not a “foolish speaker”).

megalêgoria, but an hypothesis that results from consideration of the risks he runs if he does display it⁶⁰. In other words, Socrates first chooses *megalêgoria* and then considers the risks that this choice entails for him; the fact that he risks death does not make him renounce the choice of *megalêgoria*, because the alternative before him—keeping silent about the exemplary nature of his life and basely begging for his life to be extended—is unworthy of him. In short, it is not the intention to die that presides over *megalêgoria*, but only the desire to exalt the life he has led, at the risk of provoking his judges and incurring a death sentence⁶¹.

In his long chapter on the *Apology*⁶², Johnson mentions §9 only once (p.116), to point out that it would be unworthy of Socrates to beg the judges to grant him the grace to live again. Johnson has therefore failed to grasp the importance of this paragraph, which establishes beyond any doubt that Socrates did not choose *megalêgoria* as a means of provoking his judges into condemning him to death. Johnson, on the other hand, attaches great importance to §32:

Σωκράτης δὲ διὰ τὸ μεγαλύνειν ἑαυτὸν ἐν τῷ δικαστηρίῳ φθόνον ἐπαγόμενος μᾶλλον καταμηφίσασθαι ἑαυτοῦ ἐποίησε τοὺς δικαστάς.

And as for Socrates, by magnifying himself in court he brought ill will upon himself and thus made his conviction by the jury all the more certain. (*Ap.* 32)

Unlike §9, which he neglects, Johnson often refers to §32⁶³ and sees in it a confirmation of his position⁶⁴. Johnson's conclusion from this passage seems to me to be abusive. The fact that Socrates' self-celebratory speech had the consequence of arousing the jealousy of the judges and inciting them even more (μᾶλλον) to condemn him does not entail that Socrates had this intention from the outset⁶⁵. For my part, I read §32 in the light of §9, i.e.

⁶⁰ Before quoting §9, Danzig states that "Socrates affirms his *intention* of speaking in a way he knows will be fatally offensive" (2014: 166; my italics). In presenting §9 in this way, Danzig misunderstands the deliberative aspect of this passage: far from asserting that he intends to speak in such a way that he will inevitably provoke the judges, Socrates rather envisages the hypothesis that he might irritate the judges (εἰ βαρυνῶ, future deliberative) by displaying *megalêgoria*, demonstrating that the choice of *megalêgoria* is prior to and independent of consideration of the consequences of that choice.

⁶¹ My analysis of §9 develops this observation by Pontier (2015: 64): "This is a particular form of defense [*sc. megalêgoria*], which is apt to indispose the judges, which Socrates senses even before the trial (§9)." (my translation)

⁶² 2021: 110-146.

⁶³ Cf. 2021: 39, 115, 118-119.

⁶⁴ Cf. Johnson 2017: 120: « Xenophon's Socrates makes no effort to avoid the death penalty, and indeed provokes it through his boasting (*Apology* 32), but his *Apology* does not only show Socrates committing suicide by jury. »

⁶⁵ Immediately after quoting §32, Shero (1927: 109) states: "There is no suggestion of deliberate provocation of the jury." — The expression διὰ τὸ μεγαλύνειν certainly suggests causality—it was because he delivered his own eulogy that Socrates aroused the jealousy of the judges and incited them to condemn him—but by no means intentionality. In other words, it was the fact of delivering his own

§32 confirms that the possibility raised in §9, namely that the *megalēgoria* could have the consequence of annoying the judges, did indeed come true, but that does not entail that Socrates initially had this intention. The mistake in Danzig's and Johnson's readings is to attribute to Socrates an intention that seems to correspond to the effect of his speech on the judges: since they were indisposed by Socrates' speech, and their negative reaction seems justified, Socrates therefore intended to provoke them by displaying his *megalēgoria*. Moreover, Danzig and Johnson never question the judges' reaction to Socrates' *megalēgoria*, as if they were fully justified in feeling irritated and offended by Socrates' praise of himself. Now Pontier is right to point out that the jealousy (φθόνος) that the judges feel, according to *Ap.* 32, turns against them in so far as only fools, according to *Mem.* 3.9.8, experience jealousy⁶⁶. By pointing out that Socrates' self-praise aroused the jealousy of the judges, Xenophon is not implying that Socrates deliberately provoked his judges and that their reaction was fully justified, but is instead trying to draw the reader's attention to the mediocrity of the judges⁶⁷.

The mistake made by Danzig and Johnson is akin to the paralogism of the false cause (*post hoc ergo propter hoc*): from the fact that the *megalēgoria* irritated the judges, they conclude that Socrates had intended from the outset to provoke them by displaying his *megalēgoria*, and that it was therefore the intentional cause of the judges' irritation. But the *megalēgoria* obeys another requirement and another intention: given that the gods have intervened to prevent him from preparing a rhetorical *logos*, but that he must nevertheless speak during his trial and that he is indeed defending himself, all that remains for Socrates to do is to proudly claim the superiority of his existence, at the risk of provoking his judges and inciting them to condemn him to death.

eulogy that indisposed the judges, but this does not imply that Socrates intended to provoke them. Indeed, §9 reveals that Socrates foresaw this consequence, without intending to provoke it.

⁶⁶ "Considering the nature of envy (Φθόνον δὲ σκοπῶν), he found it to be a kind of pain, not, however, at a friend's misfortune nor at an enemy's good fortune, but the envious are those only (ἀλλὰ μόνους ἔφη φθονεῖν) who are annoyed at their friends' successes. (...) they cannot disregard them in time of trouble but aid them in their misfortune, and yet they are pained to see them prospering. This, however, could not happen to a man of sense but is always the case with fools (τοὺς ἡλιθίους δὲ αἰεὶ πάσχειν αὐτό)."

⁶⁷ Pontier 2015: 69: "Insofar as jealousy is considered the prerogative of fools, we can infer that the *Apology's* narrator openly holds the *Apology's* judges to be such." See also p.71: "Xenophon highlights the limitations of Athenian judicial institutions and the negative reactions of an audience driven by its jealousy and mediocrity." (my translations) In the same vein, see Pontier 2018: 443.

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